

COUNTY COMMISSIONERS PROCEEDINGS

State of Colorado)
 SS
County of Rio Grande)

The Rio Grande County Board of Commissioners met in regular session on Wednesday, November 7, 2007. Members present were Chairman Doug Davie, Commissioners Dennis Murphy and Robert Hagedorn, Suzanne Benton, County Administrator, Jarrod Biggs, Intern, and Lyla Davis, Clerk of the Board.

At 9:00 a.m. Chairman Davie called the meeting to order. The Pledge of Allegiance was said and the agenda was set. Commissioner Murphy moved to approve the October 31, 2007 minutes as amended. Commissioner Hagedorn seconded; the motion passed.

Commissioner Hagedorn moved to appoint Dr. Bays as the Public Health Officer. Commissioner Murphy seconded; the motion passed.

Chairman Davie moved to appoint Dennis Murphy, Hope Peckum and Christine Wright to the Library District Board. Commissioner Hagedorn seconded; the motion passed.

Ms. Benton presented a request to purchase two County-owned mining claims by an individual. The claims are near Summitville and are 10.33 acres each; the claims are on Federal land. Ms. Benton explained that the claims would have to be put up for bid and open to the public. The Board agreed that the claims would not be sold.

Ms. Benton presented correspondence. She also noted that Patrick Sullivan, Road and Bridge Supervisor, has been subpoenaed to County Court regarding a speed bump made by a County resident which caused damage to another person's car. The resident was previously notified that the speed bump was not allowed on the County Road.

At 9:20 a.m. the Board performed the monthly jail inspection. Thirty-five inmates were in the County facility, three of which were women. Four inmates are being held at other facilities.

At 10:00 a.m. Tom Malecek and Susan Swift-Miller, Bureau of Land Management, joined the session to discuss a land exchange proposal. The BLM has been trying to acquire senior water rights for some time. The water rights would support the Blanca wetlands. Mr. Malecek is proposing an exchange of isolated land parcels for water in the Anderson

Ditch. Mr. Malecek said the local newspapers will be notified of the proposal later this month, as well as the Congressional officers. Mr. Malecek said there are internal concerns such as winter wildlife range. He presented a map with several parcels outlined that would be traded for the senior water rights. The water owner will develop the vacant properties. Ms. Swift-Miller commented that the original amount of water transferred has been lessened due to other Anderson Ditch water owners concerns about sub and keeping water flowing to existing water owners. The Blanca Wetlands is fed by 43 wells which were drilled in the 1960s and 1970s. Ms. Swift-Miller said the BLM was counseled at that time not to apply for well permits because federal lands were exempt. A later amendment states that BLM has damaged the water basins because permits were not drawn; therefore there are twenty wells that could be illegal in the Blanca Wetlands. This water transfer would keep the existing wetlands and endangered species. Ms. Swift-Miller said part of the wetlands may have to be dried up if the transfer is not allowed.

Ms. Benton asked about the two homes in Monte Vista and one home in Del Norte which the Forest Service is selling. Mr. Malecek said the Forest Service is anticipating a decline in funds and is selling property that they no longer can maintain. Commissioner Hagedorn asked if the Anderson Ditch water (189.8 acre feet) would satisfy the BLM debt. Ms. Swift-Miller discussed a possible agreement with the Division of Wildlife to lease some of the BLM land for winter range. There will be a period for public comment at the BLM office.

At 10:30 a.m. DeAnna Cummings, Clean Water Act and Wetlands Corp of Engineers in Durango, joined the session. A presentation was given on laws governing permits. Commissioner Hagedorn asked about the Rio Grande County contact person, since Ms. Cummings did not serve this County. The Rio Grande County agency is in Pueblo. Commissioner Hagedorn also asked about the concerns in this area. Ms. Cummings said concerns have been voiced in Mineral County. An audience member said this County does have some issues with J-Hooks and recreational use. Ray Wright asked her to explain the 404 permits and who needs to apply for them. Ms. Cummings said if a person is working in or adjacent to the River, a permit is required. Any riparian or wetland vegetation areas need to be evaluated. Examples included utility lines across creeks,

bank stabilization, wetlands adjacent to a creek or river will require permits, even for temporary work. Mr. Wright asked about disconnected wetlands. Ms. Cummings said any wetlands within the flood plain would be within the nexus. Chairman Davie said if they are not in the flood plain they are not jurisdictional. She said the canals coming from the River are a separate issue and are handled individually. Craig Franke asked about manmade wetlands, such as a recharge pond for an irrigation system. Ms. Cummings said they make isolated determinations on each case and have to work with the Corps headquarters and the EPA headquarters. Rio de la Vista asked about getting answers from the Division of Wildlife. Ms. Cummings discussed the processes that the Fish and Wildlife services must go through; there are no timelines for these services. Ms. Benton asked if everyone installing a livestock fence along the River needed a 404 Permit. Ms. Cummings said that is not always true and if vegetation is not disturbed it may not be necessary. She said it would be rare for a fence building operation to require a 404 Permit and a Fish and Wildlife study. Mr. Biggs asked where the County sits in allowing land use processes to go through. Ms. Cummings said she knows of no litigation against a public entity for not including 404 activities in their planning. Mr. Biggs also asked for timelines for completing the willow fly catcher guidelines. Ms. Cummings said if ½ acre or more exists it is likely habitat. Density is assessed on an individual case.

At 11:30 a.m. the following claims were approved.

County General Fund

ACS Services	exp	\$	3,274.84
Colorado Counties Inc	workshop	\$	435.00
Conour SLV Animal Shelter	svcs	\$	670.85
Del Norte Auto Supply	exp	\$	65.62
Gobins	exp	\$	400.37
Hart Intercivic	exp	\$	219.73
INTAB	exp	\$	23.90
Ken's Service Center	exp	\$	12.00
Konica Minolta Business	exp	\$	583.17
National Association	2008 dues	\$	400.00
O&V Printing	exp	\$	481.84
Progressive Methods Inc	exp	\$	190.00
Qwest Communications	exp	\$	1,817.01
Sandy Jackson	purchases	\$	25.52

Southern Colo Computer	exp	\$	164.99
State of Colorado/DOI	exp	\$	392.99
United Reprographic	exp	\$	92.89
Valley Lock and Security	exp	\$	132.00
Verizon Wireless	exp	\$	866.69
Xcel Energy	exp	\$	4,752.28
TOTAL		\$	15,001.69

Alamosa Credit Union	July	\$	675.00
Community Bank of the Rockies	exp	\$	66,567.13
Family Support Registry	exp	\$	328.00
Family Support Registry	exp	\$	168.00
Family Support Registry	exp	\$	168.59
Pre-Paid Legal Services	exp	\$	44.85
Rio Grande County Treasurer	exp	\$	42,569.92
Security Benefit	exp	\$	6,007.50
Sooper Credit Union	exp	\$	435.00
TOTAL		\$	116,963.99

First BankCard	card pmt	\$	4,688.70
Rio Grande County Sheriff	task force	\$	1,200.00
Rio Grande County Sheriff	task force	\$	1,200.00
Rio Grande County Sheriff	task force	\$	4,000.00
Absolute Shine	exp	\$	996.75
Account 499	supplies	\$	54.70
ACS Services Inc	exp	\$	10,606.77
ACZ Laboratories	exp	\$	842.00
Adams Drug Store	exp	\$	319.09
Alamosa County Clerk	birth cert	\$	45.00
Amsterdam Printing	exp	\$	70.56
Andrews Produce Inc	exp	\$	2,101.24
Anne Henningsen	salary	\$	250.00
Ascom Hasler Mailing	exp	\$	1,152.00
ASD Healthcare	exp	\$	2,985.00
Aspen Office Products	exp	\$	776.25
Boys & Girls Club	exp	\$	1,200.00
Brown's Septic Svc	exp	\$	65.00
CED/American Electrical	exp	\$	358.61
Chaffee Cnty Public Hlth	October	\$	1,257.00
Cherri Lyons	mileage	\$	36.80

Cheryl Scherzer	mileage	\$	66.00
CMNI Institute	Stepp	\$	1,250.00
Co Foundation	P Hendricks	\$	25.00
Co Dept of Public Safety	exp	\$	472.50
Colorado Counties Inc	workshop	\$	100.00
Conejos County Sheriff	exp	\$	3,444.00
Costilla County Nursing	July - Oct	\$	4,912.00
County Sheriffs of Colo	dues	\$	3,377.43
Dave Pote	training	\$	1,000.00
Del Norte Auto Supply	exp	\$	207.23
District Attorney Office	11th pmt	\$	13,495.00
Duckwall-Alco Discount	exp	\$	153.47
Fleming Chemical Co	exp	\$	90.02
Gobins	exp	\$	428.46
Grand America	exp	\$	192.54
Hart Intercivic	exp	\$	4,144.50
Huckleberries	exp	\$	1,651.00
Jacks Market	exp	\$	482.03
Jade Communications	exp	\$	129.90
Jeff Babcock	training	\$	7,415.25
Jennifer Mondragon	mileage	\$	43.20
John Baker	Prj B	\$	528.40
Jose Fuentes	fuel	\$	10.00
Karen McManus	training	\$	30.39
Ken's Service Center	exp	\$	1,783.88
Kimberly Bryant	Prj C	\$	94.66
Lake County Health Dept	Sept/Oct	\$	800.00
Lexis Nexis	exp	\$	276.23
Lyla Davis	exp	\$	198.75
MB Police Equipment	exp	\$	483.89
Marathon Systems	exp	\$	136.28
Meadow Gold Dairies	exp	\$	897.14
Michel Valdez	mileage	\$	114.80
Michelle Medina	exp	\$	116.00
Mineral County Public	exp	\$	702.20
Monte Vista Amoco	exp	\$	403.96
Neve's Uniforms	exp	\$	771.47
New Horizons Packaging	exp	\$	311.80
O&V Printing	exp	\$	1,375.06
Office Depot	exp	\$	372.24
Oncall Paging Service	exp	\$	175.75

Pacer Service Center	exp	\$	95.68
Peggy Kern	mileage	\$	217.60
Physician Sales & Service	exp	\$	2,463.14
Pro Com	training	\$	19.00
Public Safety Center	exp	\$	351.36
Qwest Communications	exp	\$	53.99
Qwest Communications	exp	\$	709.43
Qualistar Early Learning	exp	\$	35.00
Quill Corporation	exp	\$	148.47
Radio Services	exp	\$	242.00
Rio Grande Hospital	exp	\$	93.00
Robert Hagedorn	mileage	\$	91.20
Rose Vanderpool	mileage	\$	100.24
Safeway Inc	exp	\$	204.43
Saguache County Jail	exp	\$	5,985.00
Sam Coffman	exp	\$	483.25
Sams Club	exp	\$	782.94
Sandy Jackson	exp	\$	83.96
Sanofi Pasteur Inc	exp	\$	4,242.25
Sue Davis	Prj A/C	\$	2,512.94
Sue Vaughan	Prj C	\$	127.83
Suzanne Benton	mileage	\$	327.80
Telefsoro Dominguez	mileage	\$	159.95
The Crestone Eagle	supplies	\$	45.00
Thyssenkrupp Elevator	exp	\$	452.84
United Reprographic	exp	\$	16.77
Valley Courier	exp	\$	221.70
Valley Gun Service	exp	\$	488.56
Valley Lock and Security	exp	\$	110.00
Valley Meat	jail food	\$	2,665.63
Valley Performance	exp	\$	97.34
Valley Publishing	exp	\$	1,009.00
Valley-Wide Health Systems	service	\$	77.70
Vendola Plumbing	exp	\$	1,734.48
Verizon Wireless	exp	\$	900.85
William F Dunn	legal fees	\$	411.25
William Spicer	mileage	\$	38.40
Wright Valley Oil	exp	\$	3,122.14
WSB Computer Services	exp	\$	5,579.00
Youngs	exp	\$	98.70

TOTAL \$ 123,467.72

Road & Bridge Fund

Pubworks	exp	\$	290.00
Qwest Communications	exp	\$	53.91
Verizon Wireless	exp	\$	120.00
TOTAL		\$	463.91

Community Bank of the Rockies	exp	\$	20,357.73
Family Support Registry	exp	\$	790.00
Rio Grande County Treasurer	exp	\$	16,026.66
Roger Moore Trust Acct	exp	\$	421.81
Security Benefit	exp	\$	50.00
TOTAL		\$	37,646.20

First BankCard	card pmt	\$	256.04
Airgas Intermountain	exp	\$	130.95
All Star Gas	exp	\$	50.00
American Red Cross	exp	\$	880.00
Amsterdam Printing	exp	\$	59.53
Aspen Office Products	exp	\$	9.82
Brown's Septic Svc	exp	\$	25.00
CNH Capital	exp	\$	209.18
Colorado Counties Inc	Sullivan	\$	335.00
Dave's Elec & Hobbies	exp	\$	73.96
Del Norte Auto Supply	exp	\$	270.65
Division of Reclamation	exp	\$	791.00
Drive Train Industries	exp	\$	133.81
Duckwall-Alco Discount	exp	\$	40.98
Franke Excavating	exp	\$	200.00
Gunbarrel Service Station	exp	\$	75.00
Haynie's Inc	exp	\$	1,899.31
Hotsy Sales & Service	exp	\$	112.00
Jack's Market	supplies	\$	37.40
LeRoy A Romero	exp	\$	125.00
Manuel Atencio	fuel exp	\$	73.97
Monte Vista BP/Amoco	exp	\$	173.44
Monte Vista Cooperative	exp	\$	612.61
Monte Vista Machine Tool	exp	\$	332.57

Myers Brothers Truck	exp	\$	15.07
Petty Cash	office exp	\$	22.69
Pro Com	DOT seminar	\$	38.00
Pueblo Diesel Injection	exp	\$	562.96
Qwest Communications	exp	\$	404.28
Rio Grande County Weed	exp	\$	15,280.75
Rio Grande Hospital	exp	\$	202.00
Safety-Kleen	exp	\$	195.70
San Luis Valley Regional	exp	\$	25.75
San Luis Valley Rural	exp	\$	164.00
Sanner Brothers Salvage	exp	\$	49.78
Snap-On-Tools	exp	\$	44.75
South Fork Propane	exp	\$	169.00
Southwestern Auto Supply	exp	\$	52.39
Stock Building Supply	exp	\$	418.50
United Rentals Northwest	exp	\$	130.04
Valley Courier	exp	\$	82.35
Valley Lumber and Supply	exp	\$	14.85
Valley Publishing	exp	\$	26.00
Valley Tractor Repair	exp	\$	46.76
Vendola Plumbing	exp	\$	184.00
Verizon Wireless	exp	\$	119.92
Wagner Equipment	exp	\$	1,015.27
Whiteall's Alpine	exp	\$	25.85
Wright Valley Oil	exp	\$	21,892.93
Xcel Energy	exp	\$	1,150.02
TOTAL		\$	49,240.83

Pest Control

AllTel	exp	\$	32.27
San Luis Valley Rural	exp	\$	63.00
Valley Publishing	exp	\$	44.00
TOTAL		\$	139.27

Community Bank of the Rockies	exp	\$	1,400.75
Rio Grande County Treas.	exp	\$	849.48
TOTAL		\$	2,250.23

First BankCard	card pmt	\$	19.95
Qwest Communications	exp	\$	79.04

San Luis Valley Rural	exp	\$ 63.00
TOTAL		\$ 161.99
Airport Fund		
San Luis Valley Rural	exp	\$ 318.61
TOTAL		\$ 318.61
Capital Expenditure Fund		
Valley Electric	exp	\$ 1,628.05
TOTAL		\$ 1,628.05
Conservation Trust		
Xcel Energy	exp	\$ 13.89
TOTAL		\$ 13.89
Carnegie Public Library	exp	\$ 5,000.00
San Luis Valley Rural	exp	\$ 121.09
Xcel Energy	exp	\$ 13.41
TOTAL		\$ 5,134.50
Tourism Trust		
Applelodge Enterprises	cash exp	\$ 500.00
Colorado Snow Scoop	exp	\$ 155.00
Devi Jardon	exp	\$ 18.46
Monte Vista Country Club	exp	\$ 500.00
O&V Printing	exp	\$ 3,781.00
South Fork Visitor's	exp rpt	\$ 300.00
TOTAL		\$ 5,254.46

At 12:00 p.m. the meeting adjourned for lunch and work sessions.

Attest:

Lyla Davis
Clerk of the Board

Doug Davie
Chairman of the Board

COUNTY COMMISSIONERS PROCEEDINGS

State of Colorado)
 SS
County of Rio Grande)

The Rio Grande County Board of Commissioners met in regular session on Wednesday, November 14, 2007. Members present were Chairman Doug Davie, Commissioners Dennis Murphy and Robert Hagedorn, Suzanne Benton, County Administrator, Jarrod Biggs, Intern, and Lyla Davis, Clerk of the Board.

At 9:00 a.m. Chairman Davie called the meeting to order. The Pledge of Allegiance was said and the agenda was set. Commissioner Hagedorn moved to approve the November 7, 2007 minutes as amended. Commissioner Murphy seconded; the motion passed.

At 9:10 a.m. Ms. Benton presented pending matters and correspondence. The Veteran's report was signed by Chairman Davie. The Board will deliver certificates of appreciation to the County employees for a complementary Thanksgiving turkey.

At 9:15 a.m. Patrick Sullivan, Road and Bridge Supervisor, joined the session for the monthly report. The written report was submitted as follows:

- Completed the 2 East project south of Highway 160
- Completed rock haul to the 1 South and started grade work
- Rip Rap was placed at the Plaza Bridge and Sanderson Bridge
- Chairman Davie, Commissioner Hagedorn and Mr. Sullivan went to Denver to evaluate trucks
- Two new trucks were ordered from Transwest Trucks
- Bridge construction on the 2 East started on schedule and Pre-Fab Bridge was ordered
- Carl Hill fabricated and installed the bump rails for the Court House
- The crew attended a Cat Maintenance program and CPR class
- Grader operators from Del Norte and South Fork trimmed trees for approximately three weeks in the South Fork area

- Mr. Sullivan met with Xcel High Pressure Gas on the 1 South for a joint project to bury high pressure gas lines
- The County provided two trucks to assist the Monte Vista Fire Department
- Mr. Sullivan met with Richard Duarte to formulate a parking plan for the Monte Vista Head Start.

Mr. Sullivan said the meeting with the Head Start went very well and the Head Start is working on a plan to have vehicles park within the fenced area. 'No Parking' signs will be installed along Sherman Avenue.

Proposed work for November includes completing bridge structure footers and wing walls, fill will be hauled to the 1 South Road, graders will complete another round of grading, heaters will be replaced in the main shop for approximately \$4,600, some staking may be done on County Road 15, the dump bodies for the new trucks will be ordered and the crew will install a remanufactured engine in the B-2 (John Deere grader).

Mr. Sullivan is waiting to stake County Road 15 until the grader goes through. He does not want the dozer to take out the stakes between Walker Hill and the Bear Creek entrance.

Layton won the State bid award for dump bodies. Mr. Sullivan asked to purchase two dump boxes at \$16,725 per box. Commissioner Hagedorn moved to accept the bid. Commissioner Murphy seconded; the motion passed.

Mr. Sullivan had several phone calls about the intersection at the 5 North and 3 East where the fatal accident occurred several weeks ago. The callers indicated they have had visibility problems. Mr. Sullivan met with Jim McCullough regarding the ditch bank which has since been cut down. Commissioner Hagedorn said when the farmers clean the ditch material is piled in that corner. Mr. Sullivan said a culvert can be installed to help with drainage.

Mr. Sullivan noted a call from Bill McClure, Town of Center, regarding paving within the Town next year. He informed Mr. McClure of the paving costs this year and anticipated increases. The portion of road is south of Highway 112, which is in Rio Grande County. Mr. Sullivan said the road will require extensive construction before paving; Mr. Sullivan did not discuss road construction with Mr. McClure. Ms. Benton noted that Rio Grande County has a

road and bridge mill levy with a portion going to the Town of Center. She said payment must be made within the calendar year.

Mr. Sullivan noted ten loads of sand sold to the City of Monte Vista.

Commissioner Hagedorn moved to approve the range changes for three road and bridge employees per their evaluation as requested by Mr. Sullivan for the 2008 budget.

Commissioner Murphy seconded; the motion passed.

Mr. Sullivan asked if he could work within his budget to purchase items for the road and bridge employees such as insulated coveralls or jackets. Mr. Sullivan said he did not know if other departments did this kind of morale building. Commissioner Hagedorn asked him to review his budget and get estimates for his ideas for the next meeting.

Mr. Sullivan will meet with the Airport Board regarding runway lights.

At 10:00 a.m. James Berg, Director of Social Services, joined the session for the monthly report.

At 10:30 a.m. Chairman Davie called the zone change hearing to order. The applicant is Richard Ruid. The property location is a fraction of Section 29, T. 40 N., R. 4 E., west of Shaw Creek, South Fork containing 55 acres, more or less. The application is for an amendment of zoning from Rural/Residential to a Commercial Resort Tourist Zone and recreational vehicle park for a 200 unit RV park. Rose Vanderpool, Land Use Planner, read the minutes of the Planning Commission meeting on November 13, 2007. Some concerns were access, septic facility proximity to River, use of land, and highway access. The Planning Commission denied recommendation to the Board of County Commissioners. She presented one individual's letter of support, and six individual letters of opposition, eleven form letters of support, and thirty-six form letters of opposition. Barry Malcolm, current property owner, also submitted a letter of support. Ms. Vanderpool noted a letter from the Division of Wildlife which was received at the beginning of the hearing. She noted that other letters from the water offices and fire departments are in the Board member packets.

Chairman Davie swore in the audience. Mr. Ruid presented a packet of information and plans to the Board. He stated that he is confused because the application is for an amendment of zoning and there were comments about RV parks at the Planning Commission hearing. The RV park subdivision is not part of the application but consumed much of the planning commission meeting. (Application states RV park.) Mr. Ruid read excerpts from the Planning and Zoning Code Book and Master Plan; he also read a statement of points concerning use of the land and existing structures. One statement asked if this was not a good location, where should an RV park be located. Chairman Davie asked about access over the railroad. Mr. Ruid said he owns the exclusive access permit on this crossing. He noted the phone call with the railroad company; the railroad said this was an illegal crossing at one point but Mr. Ruid does have the access. Jerry Pacheco, Division of Wildlife, read from the letter he submitted at the beginning of the hearing. He said the Division does not advocate or oppose the application; his job is to state the concerns of the Division. Mr. Pacheco read the letter to the audience. Some concerns are impacts to the wildlife resources and their habitat and the potential for human/wildlife conflicts. He noted quality fishing opportunities, willows and surrounding cottonwood forest, river bank stabilization, a backup sewage system, work with the Army Corps of Engineers, Southwest Willow Flycatcher habitat, runoff and storm water capture system, bear proof trash receptacles, wildlife feeding, responsible pet and pet food management, proximity and density of units, and fences and other barriers. A statement in the letter notes the cumulative affects of this project on the wildlife habitat within the project area from its current state.

Mr. Malcolm asked about the impact of the rail cars on the property to wildlife. Chairman Davie said this did not relate to the application and it could be discussed after the hearing privately.

Chairman Davie asked for comments in support of the application. Mr. Malcolm said there are two residents who can see the property from their home and they do not reside year round. RV parks in this area are open 6 months out of the year. They will see it driving by and others would have to cut down trees to be able to see the property. He recommended that the Board go on site and view the property. He said this is not much different from the project on the north side of the River with the sewage

holding facilities. The RV park on the north side of the property has people living along the River. He noted existing septic systems that are not as advanced and could be causing any existing problems.

Chairman Davie asked for comments opposing the application. Rick Robertson, representing Eldorado Ranchettes and Lazy T Ranchettes, spoke on their behalf. He said the opposing views are pertinent to the application. The application is against the rights of the surrounding property owners. It would have a negative affect on the River and surrounding area. The surrounding areas have strict protective covenants to keep the character of the surrounding land. The Malcolm property is completely surrounded by private land; they are not in favor of a densely populated area. Mr. Robertson read from the County Land Use book. The area is not changing toward commercial development; the precedent has been set by the master plan for residential areas. He also noted stipulations for mobile homes and proximity to central water and sewer. CRT zoning abutting public lands, such as forest service lands, allows access for recreation. Mr. Robertson noted the amount of wildlife he saw this morning in the area.

Ms. Vanderpool commented on the letter received from Eric Schwiesow representing the surrounding homeowners. Ms. Vanderpool witnessed the signature of Mr. Malcolm. She processed the application contingent upon what the application calls for. Mr. Schwiesow asked to present a Power Point presentation. Chairman Davie said in the interest of time the Board would like a hard copy of the presentation. Mr. Schwiesow presented photos for the file that is directly around Malcolm property. The application does not provide a water supply for the proposed use or adequate ownership of the supply. If the water is not available for the new zone, there is no point in rezoning. The Division Water Engineer said there is not water with the property. The Conservation District would have to supply water. The Conservation District now requires that "matching" water be put up for use in other areas because they are running out of water for use. Chairman Davie asked if he were talking about the application or the RV park. Mr. Schwiesow said the reason for the zone change is for an RV park. The zoning ordinance has been in place since June 2005. He did not feel the entire area has changed since 2005. There have been some conditional use permits, but not for a large area, such as 55 acres. He noted there is no access to federal and state lands from this parcel. Rezoning is discouraged because it is

contradictory to Colorado law. Mr. Schwiesow said he could not see the opportunity area from the maps on this parcel. Over half of the property is within the 100 year flood plane. The County Master Plan recommends river corridor areas for agriculture, recreation/tourism and single family homes on large parcels. Mr. Schwiesow said the recreational use would be fishing, rafting, etc. The goal in the river corridor is to maintain the natural character. He noted potential flood hazards and the plan to put a potential waste water treatment plant within the 100 year flood plane. The Rio Grande Conservation District included a FEMA map showing the flood areas. Mr. Schwiesow said this property is consistent with zoning in the area, some conditional use permits have been approved along the highway corridor, which may be appropriate. The rezone would take in the River itself. The residents feel it will adversely impact the area. Chairman Davie asked for a raise of hands against the change (11 hands). He asked for comments that have not yet been heard. Mr. Pacheco introduced himself as the Division of Wildlife District Wildlife Manager in the Del Norte/South Fork area. Bob Hopp, neighbor, said he bought 15 acres and a home and paid over a million dollars for the property. He looked at maps and covenants in the area and felt confident that the area would not change. He noted physical changes to his land such as turning a shed into a guesthouse and clearing the property for beautification. He was approached about purchasing other land and put that decision on hold when he got the letter about the RV park; Mr. Hopp's property borders the Malcolm property. The sewage plant abuts the driveway to his property. This is a significant alteration to the existing developments. He said if he had any knowledge of a potential RV park, he would not have purchased the property. He does not want his home value to decrease. He noted that he is not alone in opposition. The neighbors want to see growth in the appropriate areas. Courtney Parker spoke about where he works in Texas and does not have beautiful views. He said the view is wonderful here and should not be taken for granted. He said an RV park would destroy the beautiful area and would devalue the area and cause people to move. Bruce Nickerson is in favor of the project, along with the income and development of RV parks for South Fork. He noted he has water available from his ranch. Beau Meyer said this is a non-compatible use for the area. Bill Cline owns one home along the road to the property which they purchased because it is rural. He does not think one person should be able

to change the land. Suzie Gilbert is a realtor in South Fork and noted other developments where lots were required to meet strict guidelines. Joan Orobie lives across the highway on the hill and does not want to look down on the RV park. Mr. Malcolm said three years ago when there was flooding, his property did not flood. He noted Mr. Parker's property which was considered to be un-buildable and yet has plans for a home.

Mr. Ruid said there is not an RV park subdivision application before the Board and for anyone to say they know where the sewer is, does not know the plans. Ms. Cline said she is concerned about having only one access road should there be a fire or flood. She said they do see prolific amounts of wildlife. Chairman Davie noted that stipulations can be applied to the approval of any application. The decision will be made December 12, 2007 at 1:30 p.m. The Board agreed that they need time to review the letters and comments from the hearing. Mr. Hopp said everyone driving by will see the property. Chairman Davie thanked the audience for taking an interest in their community.

At 12:10 p.m. Bill Dunn, County Attorney, joined the session for pending legal matters. Ms. Benton asked about dissolving the museum advisory board. There are no other departments that answer to a board. The Board asked for direction on how to dissolve the advisory board. It is not required that the museum has an advisory board; the Inc. board will still exist for the fundraising and gift shop operations.

There was discussion of the CRT (Commercial, Recreational & Tourism) zoning. Ms. Vanderpool noted that Mr. Ruid's application states an RV subdivision is listed on the application along with the zone change. Mr. Dunn will review the matter.

At 12:30 p.m. the meeting was adjourned.

Attest:

Lyla Davis
Clerk of the Board

Doug Davie
Chairman of the Board

COUNTY COMMISSIONERS PROCEEDINGS

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County of Rio Grande)

The Rio Grande County Board of Commissioners met in regular session on Wednesday, November 21, 2007. Members present were Chairman Doug Davie, Commissioners Dennis Murphy and Robert Hagedorn, Suzanne Benton, County Administrator, Jarrod Biggs, Intern, and Lyla Davis, Clerk of the Board.

At 10:00 a.m. Chairman Davie called the meeting to order following the managers meeting. The Pledge of Allegiance was said and the agenda was set. Commissioner Hagedorn moved to approve the November 14, 2007 minutes as amended. Commissioner Murphy seconded; the motion passed.

At 10:15 a.m. Ms. Benton presented pending matters. Commissioner Hagedorn moved to cancel the following warrants. Commissioner Murphy seconded; the motion passed.

Warrant #	Date	Payee	Amount	Line Item
124523	11/7/07	Co. Foundation for Public Health/PSD-CCP A5	001-0457-4110	\$25.00
124557	11/7/07	Neve's Uniforms	001-0446-4193	\$771.47

Ms. Benton presented a tax abatement which was submitted after the protest period. The schedule numbers are 2134000235, 2134000236, 2127300245, 2128400246, 2127300247, 2134204100, 2128101044, 2128101045, 2134201091, 2121402052, and 2121405051. The assessed value is \$1,319,060, the tax is \$63,874.20 and the actual value is \$4,538,456. Joe Dominguez, County Assessor, informed Ms. Benton the protestor did not explain the reason for the abatement. Mr. Dominguez feels the land is fairly valued. Commissioner Murphy moved to deny the abatement. Commissioner Hagedorn seconded; the motion passed.

Commissioner Murphy moved to waive the Annex use fee for High Valley Community Center to hold an informational meeting. Chairman Davie seconded. Commissioner Hagedorn said the fee should be applied. The motion passed.

Ms. Benton presented bids for the audit process. She noted all the entities that are included in the Rio Grande County audit, such as the Revolving Loan Fund and Community Development Block Grant. The bids were submitted from Wall, Smith, Bateman & Associates for \$29,750; Bondi &

Company for \$36,000; and Mason Russell West, LLC for \$29,200 at year three. Commissioner Hagedorn moved to accept the auditing bid from Wall, Smith, and Bateman & Associates. Commissioner Murphy seconded; the motion passed.

At 10:30 a.m. Mike Wisdom, Development Resource Group, joined the session to update the Board on Energy/Mineral Impact funds. Mr. Wisdom presented an intergovernmental agreement for the Board to consider. He is meeting with all Valley Commissioners for signatures. Commissioner Hagedorn moved to approve the intergovernmental agreement. Commissioner Murphy seconded; the motion passed. Mr. Wisdom invited the Board to the Comprehensive Economic Development Strategy committee meeting on November 26, 2007 at 5 p.m. in Alamosa. There will be discussions on development for each region in the Valley. Mr. Wisdom was thanked for the invitation and informed that the Commissioners would be at the annual CCI meeting in Colorado Springs on that date.

At 11:00 a.m. Allen Graber joined the session for a minor subdivision of land containing 18.99 acres. Rose Vanderpool, Land Use Planner, said he is purchasing the property from Lester Yoder which is located in a fraction of the W ½ of Section 13, T 37 N, R 8 E. The property is being divided for banking purposes. Mr. Yoder has an easement for access to his property. Commissioner Hagedorn moved to approve the exempt division of land recognizing that there should be a one hundred foot setback from the sprinkler for any buildings. Commissioner Murphy seconded; the motion passed. Chairman Davie noted the one hundred foot setback from the sprinkler to the home for future owners. There was discussion of the twenty-five foot setback from property lines and the one hundred foot setback from the sprinkler. Ms. Vanderpool said on this parcel, it should not be an issue since the land is all agricultural. Commissioner Hagedorn said they are speculating the future and advised Mr. Graber to keep the one hundred foot set back from the sprinkler end gun. BOOK 536 PAGE 829

At 11:15 a.m. Jenny Nehring, Marsh School Improvement Team, and Peggy Hasslar, Marsh Elementary Counselor, joined the session for Great Outdoors Colorado(GOCO) grant support. The Monte Vista School District is involved in creating more physical activity for students and increasing the

importance of exercise. Ms. Nehring said this is not just a school playground, but also a community park. A presentation was given on the uniqueness of the playground and the structures that represent various parts of the Valley such as the Great Sand Dunes National Park, Wolf Creek Ski Area and the Ski Hi Rodeo. The kids in this part of Monte Vista do not have a good public park for activities. The school is partnering with the City of Monte Vista to apply for GOCO funding; the City has agreed to some in kind work. Ms. Nehring said raffles are being held to raise money for the project. Chairman Davie said the County can do some in kind work; they will talk with the Road and Bridge Supervisor to work within his schedule.

At 11:45 a.m. Bill Dunn, County Attorney, joined the session for pending legal matters. The Museum Board bylaws will be sent to Mr. Dunn for review. He reported on the County Attorney Conference.

At 12:00 p.m. the following payroll was approved.

County General

Davie, Douglas	sal.	\$ 2,949.50
Hagedorn, Robert	sal.	\$ 4,141.67
Murphy, Dennis	sal.	\$ 2,949.50
Benton, Suzanne	sal.	\$ 6,142.40
Kessler, Glenda	sal.	\$ 2,338.27
Biggs, Jarrod	sal.	\$ 2,374.67
Bricker, Pamela	sal.	\$ 50.00
Franke, Craig	sal.	\$ 50.00
Freeman, Dwight	sal.	\$ 50.00
Seger, Gary	sal.	\$ 50.00
Slade, Janice	sal.	\$ 50.00
Vanderpool, Rose	sal.	\$ 2,830.53
Canada, Sean	sal.	\$ 2,721.33
Kern, Randall	sal.	\$ 3,565.47
Gallegos, LeAnn	sal.	\$ 1,536.86
Gonzales, Catherine	sal.	\$ 1,859.87
Hill, Cindy	sal.	\$ 1,797.90
Jackson, Sandra	sal.	\$ 4,141.67
Montoya, Michelle	sal.	\$ 2,000.70
Murphy, Donna	sal.	\$ 2,707.32
Quintana, Mary	sal.	\$ 2,247.92

Kroschel, Ruth	sal.	\$ 1,783.55
Steving, Sherryl	sal.	\$ 1,832.32
Velasquez, Ashley	sal.	\$ 114.74
Dominguez, Telesforo	sal.	\$ 4,141.67
Lyons, Cherri	sal.	\$ 1,495.87
Medina, Michelle	sal.	\$ 2,197.87
Mondragon, Jennifer	sal.	\$ 2,426.67
Salazar, Eva	sal.	\$ 2,034.93
Scherzer, Cheryl	sal.	\$ 2,197.87
Spicer, William	sal.	\$ 2,825.33
Valdez, Michael	sal.	\$ 2,076.53
Goad, Lorraine	sal.	\$ 1,627.38
Kern, Peggy	sal.	\$ 4,141.67
Rue, Cherilyn	sal.	\$ 2,438.80
Voris, Carol	sal.	\$ 1,870.05
Garcia, Carol	sal.	\$ 1,365.00
Garcia, Shirley	sal.	\$ 1,765.40
Marquez, Ronald	sal.	\$ 1,757.60
Myers, Herbert	sal.	\$ 2,737.76
Arellano, Timothy	sal.	\$ 3,142.39
Chick, Charles	sal.	\$ 3,111.25
Doctor, Janette	sal.	\$ 3,060.49
Duran, Jeremiah	sal.	\$ 2,673.37
Gonzales, Jonathan	sal.	\$ 4,535.20
Heacock, Marilyn	sal.	\$ 2,306.05
Lopez, Emily	sal.	\$ 3,028.18
Norton, Brian	sal.	\$ 5,550.00
Renner, Jose Jacob	sal.	\$ 2,641.00
Wheelwright, Boyd	sal.	\$ 2,817.63
Archuleta, Anthony	sal.	\$ 2,135.00
Atencio, Joseph	sal.	\$ 2,203.07
Bailey, Ronald	sal.	\$ 1,810.42
Black, Kelly	sal.	\$ 2,880.80
Bruder, Gary	sal.	\$ 1,922.27
Chick, Amanda	sal.	\$ 1,761.33
Deherrera, Alicia	sal.	\$ 1,776.43
Duran, Dusty	sal.	\$ 1,836.25
Ford, Donna	sal.	\$ 1,922.27
Fuentes, Jose	sal.	\$ 1,768.58
Hart, Jonathan	sal.	\$ 1,981.32
Kerr, Tory	sal.	\$ 1,769.33

Naranjo, Henry	sal.	\$ 1,015.82
Ortega, Arthur	sal.	\$ 2,080.76
Parks, Joseph	sal.	\$ 2,002.95
Sierra, Shaun	sal.	\$ 1,796.97
Trujillo, Ramon	sal.	\$ 1,931.08
Messoline, Larry	sal.	\$ 2,056.52
Strohmayer, Rusty	sal.	\$ 1,841.67
Spencer, Teresa	sal.	\$ 2,290.77
Koshak, Dianne	sal.	\$ 2,675.40
Masters, Judy	sal.	\$ 2,226.47
Perry, Patricia	sal.	\$ 4,095.49
Steelman, Nadine	sal.	\$ 2,045.98
Stowe, Linda	sal.	\$ 3,260.83
Montoya-Salazar, Lanell	sal.	\$ 1,785.12
Robinson, Kelli	sal.	\$ 1,619.80
Hand, Rebecca	sal.	\$ 1,083.33
Housden, Joyce	sal.	\$ 3,293.33
Hawkins, Berry Joyce	sal.	\$ 2,424.00
Crowder, Larry	sal.	\$ 958.40
Hendricks, Paula	sal.	\$ 3,574.13
Oglesby, Freddy	sal.	\$ 2,201.33
Taylor, Anna	sal.	\$ 3,033.33
Lujan, Maxine	sal.	\$ 2,286.87

\$195,599.57

(Taxes Withheld, \$31,708.59; Deductions Withheld,
\$25,762.74)

ROAD & BRIDGE

Atencio, Kevin	sal.	\$ 2,076.53
Black, Timothy	sal.	\$ 3,024.67
Chapman, Destry	sal.	\$ 2,385.07
Hansen, Arnold	sal.	\$ 2,385.07
Hill, Carl	sal.	\$ 3,050.84
Lyons, Dale	sal.	\$ 1,922.27
Maestas, William	sal.	\$ 2,965.73
McKinley, Robert	sal.	\$ 2,684.93
Miles, Darryl	sal.	\$ 3,251.73
Pacheco, Carl	sal.	\$ 3,162.09
Plane, Kenneth	sal.	\$ 1,960.40
Archuletta, Mark	sal.	\$ 2,684.93
Atencio, Manuel	sal.	\$ 2,849.60

Benavides, Eodofredo	sal.	\$ 2,691.87
Cervantez, Manuel	sal.	\$ 1,922.27
Claunch, Billy	sal.	\$ 2,684.93
Heredia, Abelardo	sal.	\$ 2,801.07
Paulson, Roy	sal.	\$ 3,024.67
Rowe, Danny	sal.	\$ 2,147.21
Steffens, John	sal.	\$ 3,863.78
Sullivan, Patrick	sal.	\$ 4,812.50
Trujillo, Adelmo	sal.	\$ 2,159.73
Romero, Olivia	sal.	\$ 2,034.93
		<u>\$ 62,546.82</u>

(Taxes Withheld, \$10,608.80; Deductions Withheld,
\$7,762.30)

DEPARTMENT OF SOCIAL SERVICES

Anderson, Elisha	sal.	\$ 2,602.13
Arvizo, Rita	sal.	\$ 2,613.00
Atencio, Valerie	sal.	\$ 2,192.13
Berg, James	sal.	\$ 5,272.09
Bruder, Linda	sal.	\$ 1,875.25
Chavez, Melody	sal.	\$ 1,815.13
Dupont, Ilene	sal.	\$ 1,354.99
Duran, Jaxine	sal.	\$ 2,024.75
Ford, Georgia	sal.	\$ 2,835.63
Gallegos, Brandi	sal.	\$ 2,148.25
Gonzales, Carolyn	sal.	\$ 2,107.63
Gunther, Darlene	sal.	\$ 2,024.75
Hernandez, Marlene	sal.	\$ 2,148.25
Horn, Ruth	sal.	\$ 3,518.13
Jaramillo, Richelle	sal.	\$ 2,816.13
Maestas, Valarie	sal.	\$ 2,143.38
Martinez, Helen	sal.	\$ 3,571.75
Martinez, Janelle	sal.	\$ 1,985.75
Meder, Jeremy	sal.	\$ 2,602.13
Naranjo, Andritta	sal.	\$ 1,878.50
Pacheco, Jessica	sal.	\$ 1,985.75
Pacheco, Rosanne	sal.	\$ 3,300.38
Padilla, Christopher	sal.	\$ 1,946.75
Parra, Gregorio	sal.	\$ 3,342.63
Pena, Mike	sal.	\$ 4,158.33

Ruybal, Evelyn	sal.	\$ 1,985.75
Sanchez, Kiley	sal.	\$ 2,601.63
Sanchez, Ramona	sal.	\$ 2,148.25
Segura, Donna	sal.	\$ 3,173.00
Shaver, Betty	sal.	\$ 2,468.38
Slane, Sherryl	sal.	\$ 2,452.13
Stephens, Jackie	sal.	\$ 3,365.38
Tafoya, Liz	sal.	\$ 1,782.63
Velasquez, Angela Sue	sal.	\$ 2,860.00
Vengas, Brenda	sal.	\$ 1,378.00
Villagomez, Rashel	sal.	\$ 2,107.63
Webb, Jeannie	sal.	\$ 1,546.09
White, Victoria	sal.	\$ 1,985.75
		<u>\$ 94,118.21</u>

(Taxes Withheld, \$15,116.69; Deductions Withheld, \$13,992.72)

PEST CONTROL

Christensen, Bryan	sal.	\$ 50.00
Clare, James	sal.	\$ 50.00
Mayfield, Larry	sal.	\$ 50.00
Miner, Craig	sal.	\$ 50.00
Mueller, Mark	sal.	\$ 50.00
Peterson, greg	sal.	\$ 50.00
Plane, Darrel	sal.	\$ 3,452.19
Schaefer, Michael	sal.	\$ 50.00
		<u>\$ 3,802.19</u>

(Taxes Withheld, \$653.12; Deductions Withheld, \$532.64)

At 12:15 p.m. Ms. Vanderpool reported on the equipment for testing the old landfill wells. The Board approved the purchase of the equipment.

Ms. Benton confirmed the December 12, 2007 date for the Ruid decision.

At 12:30 p.m. the meeting was adjourned.

Attest:

Lyla Davis

Doug Davie

Clerk of the Board

Chairman of the Board