

COUNTY COMMISSIONERS' PROCEEDINGS

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County of Rio Grande )

The Board of Rio Grande County Commissioners met in regular session on Wednesday, November 4, 2015. Members present were Chairman Doug Davie, Commissioner Karla Shriver, Commissioner Pam Bricker, County Administrator Carol Osborn, Finance Officer Lori McGraw, and Clerk of the Board Mona Syring.

At 9:00 a.m., Chairman Davie called the meeting to order and led the opening prayer. The Pledge of Allegiance was said. Commissioner Shriver moved to approve the agenda as presented. Commissioner Bricker seconded the motion and the motion carried. Commissioner Bricker moved to approve the minutes from the October 28, 2015, meeting with changes. Commissioner Shriver seconded the motion and the motion carried.

Chairman Davie asked if there were public comments. Edna Velasquez and Eugene B. Velasquez were present to request clarification about the proposed mill levy to support the proposed Monte Vista recreation district. They asked about the opt-out procedure; it was explained. The Commissioners noted that there would be a continuation hearing regarding the recreation district on November 18, 2015. Mr. Velasquez explained that they are on a fixed income and are concerned about their taxes going up. Commissioner Shriver explained that to opt out of the mill levy, a letter must be sent to the Board. She also explained the tax increase, according to information provided by the application: if a house is assessed at \$50,000.00 the tax increase would be \$40.00; if a house is assessed at \$100,000.00, the tax increase would be \$80.00; if a house is assessed at \$250,000.00, the tax increase would be \$200.00.

At 9:15 a.m., October claims were presented. Commissioner Bricker moved to approve the claims. Commissioner Shriver seconded the motion and the motion carried.

OCTOBER 2015 CLAIMS

COUNTY GENERAL

Table with 3 columns: Vendor Name, Description, and Amount. Lists various claims such as Sheriff, Service Awards, Outside Drain, Telephone, ACCA Conference, Business Recruitment Study, etc.

Verizon Wireless	Telephone	\$1,288.97
Wex Bank	Fuel	\$224.10
Xcel Energy	Electricity, Gas	\$3,633.16
<b>TOTAL</b>		<b>\$147,644.19</b>

Ace Towing	Sheriff	\$146.00
Billings Electric	Jail Light	\$393.95
Business Solutions Leasing	Copier Lease	\$54.73
Century Link	Telephone	\$37.53
Chardell Barton	L&A Testing, Mileage	\$63.50
CO Dept. of Public Health	Security Paper	\$71.04
Colorado Assessor's Assoc.	Classes	\$150.00
Del Norte Auto Supply	Sheriff	\$91.64
Del Norte Bank	Safe Deposit Box	\$15.00
Direct TV	Sheriff	\$152.48
First Bankcard	Credit Card	\$5,151.16
Galls, LLC	Sheriff	\$435.13
Gobins	Copier Lease	\$281.85
Great America Financial	Copier Lease	\$452.00
Hart Intercivic	Ballot Stock	\$240.50
Haynie's Inc.	Sheriff	\$62.05
Jack's Market	Sheriff	\$164.04
Jeanette Howey	L&A Testing, Mileage	\$68.00
Jeff Babcock	Homeland Security	\$5,311.03
Kelly Ortiz Landscape	Hinsdale County Recreation Plan	\$5,000.00
Ken's Service Center	Sheriff	\$768.66
Kristy Dennis	Mileage, Meals	\$149.66
LEDS, LLC	iCounty Storage	\$1,496.00
Lori McGraw	Supplies	\$110.03
Matthew Bender & Co, Inc.	Sheriff	\$584.59
Meadow Gold Dairies, Inc.	Sheriff	\$274.62
Mona Syring	Clerk of the Board	\$408.40
Monte Vista Cooperative	Sheriff	\$174.95
O&V Printing	Tabor Notices, Business Cards	\$794.21
Peggy J. Kern	Mileage	\$9.00
Pitney Bowes, Inc.	Postage Reserve	\$3,000.00
Rio Grande County Weed District	Sheriff	\$355.89
Rio Grande Pharmacy	Sheriff	\$725.59
Rocky Mountain Plumbing	Rotors	\$222.30
Rusty Strohmayer	Travel	\$293.75
Sam's Club	Sheriff	\$608.92
Shamrock Foods Company	Sheriff	\$3,336.98
Sherryl Steving	Mileage	\$25.20
SherwinWilliams	Clerk's Office	\$146.16
Simple Distributors LLC	Office Supplies	\$588.00
Strohmayer's Funeral Home	Storage	\$525.00
The Master's Touch, LLC	eNotice Upload Fee	\$52.63
Torres Plumbing & Heating	Sheriff	\$4,033.07
Total Office Solutions	Office Supplies	\$72.05
Ultramax	Sheriff	\$537.00
United Reprographic	Maintenance Agreement	\$95.44
Valley Courier	Subscription	\$105.00
Valley Publishing	Recreational District Legal Notice	\$48.00
Valley Refrigeration Co.	Sheriff	\$107.00
Wex Bank	Fuel	\$3,782.34
William F. Dunn	Legal Fees	\$1,912.50
WSB Computer Services	Election Printer, Sheriff, Maintenance, Battery	\$2,496.70
Xcel Energy	Electricity, Gas	\$1,813.69
Xerox Business Services	Land Records	\$4,121.63
<b>TOTAL</b>		<b>\$52,116.59</b>

American Fidelity	October Payroll	\$175.36
American Public Life	October Payroll	\$67.00

BC Services	October Payroll	\$179.03
California State	October Payroll	\$500.00
Community Bank	October Payroll	59,782.96
Family Support Registry	October Payroll	\$50.00
Family Support Registry	October Payroll	\$355.00
Family Support Registry	October Payroll	\$405.00
Metro Collection Service	October Payroll	\$547.10
Rio Grande County Treasurer	October Payroll	\$50,923.08
Security Benefit	October Payroll	\$3,075.00
<b>TOTAL</b>		<b>\$116,059.53</b>

#### **ROAD & BRIDGE**

A&M Vinyl Windows	MV Shop	\$675.00
Century Link	Telephone	\$57.21
Colorado Counties Inc.	Conference	\$700.00
Gunbarrel Service Station	Parts	\$150.48
SLV REC	Electricity	\$177.00
<b>TOTAL</b>		<b>\$1,759.69</b>

2nd Steel	Service Charge	\$16.56
4 Rivers Equipment, LLC	Parts	\$69.22
Airgas USA, LLC	Chemicals	\$182.61
Alta Fuels	Fuel	\$7,908.37
Brown's Septic Svc. Inc.	Restroom Cleaning	\$21.50
Century Link	Telephone	\$56.52
Century Link	Telephone	\$403.83
Century Link	Telephone	\$51.42
Colorado Counties Inc.	Conference	\$700.00
Del Norte Auto Supply	Parts	\$247.94
Division of Reclamation	Pit Permit	\$791.00
ESRI Inc.	ArcGIS	\$300.00
First Bankcard	Credit Card	\$99.98
Gobins	Copier	\$31.50
Great America Financial	Copier Maintenance	\$136.17
Haynie's Inc.	Repairs, Tools	\$1,436.90
Industrial & Farm Supply	Parts	\$419.62
J.J. Rental Centers	Boom	\$306.00
Lenco West	Parts	\$42.01
Leroy A. Romero	Cleaning-Hold	\$125.00
Matco Tools	Tools	\$199.95
Monte Vista Cooperative	Repairs, Parts, Supplies	\$159.37
Monte Vista Tractor	Repairs	\$612.00
Myers Brothers Truck	Repairs	\$674.70
Roadsafe	Supplies	\$14,560.00
Rocky Mountain Home	Supplies	\$55.68
Skyline Steel	Parts	\$6,612.94
Summit Market	Supplies	\$27.92
Tracker Software Corp.	SQL Server	\$950.00
Valley Lumber and Supply	Survey Stakes	\$59.40
Valley Tractor Repair	Parts	\$350.00
Wagner Equipment	Parts	\$2,615.21
Wex Bank	Fuel	\$971.29
Xcel Energy	Electricity, Gas	\$7,032.58
<b>TOTAL</b>		<b>\$48,227.19</b>

American Fidelity	October Payroll	\$253.70
American Public Life	October Payroll	\$65.40
Community Bank	October Payroll	\$24,065.78
Rio Grande County Treasurer	October Payroll	\$18,418.33
Security Benefit	October Payroll	\$30.00
<b>TOTAL</b>		<b>\$42,833.21</b>

#### **DSS**

American Fidelity	October Payroll	\$267.64
American Public Life	October Payroll	\$126.30
Community Bank	October Payroll	\$35,382.18
Rio Grande County Treasurer	October Payroll	\$27,178.64
Security Benefit	October Payroll	\$155.00

<b>TOTAL</b>		<b>\$63,109.76</b>
<b>PEST CONTROL</b>		
Industrial & Farm Supply	Parts	\$8.42
SLV Auto Repair	Service on Vehicles	\$535.48
SLV REC	Electricity	\$80.00
Verizon Wireless	Telephone	\$1.70
<b>TOTAL</b>		<b>\$625.60</b>
Century Link	Telephone	\$93.02
First Bankcard	Credit Card	\$1,012.72
<b>TOTAL</b>		<b>\$1,105.74</b>
Community Bank	October Payroll	\$911.24
Rio Grande County Treasurer	October Payroll	\$1,400.33
<b>TOTAL</b>		<b>\$2,311.57</b>
<b>AIRPORT</b>		
Century Link	Telephone	\$58.36
Century Link	Telephone	\$119.09
Colorado Dept. Revenue	Fuel Sales Tax	\$324.48
Morton Electric	Fuel System	\$2,129.85
	Communications	
<b>TOTAL</b>		<b>\$2,631.78</b>
SLV REC	Electricity	\$466.00
<b>TOTAL</b>		<b>\$466.00</b>
<b>TOURISM</b>		
Colorado Tourism Office	Registration	\$1,000.00
Elevation Outdoors	Advertising	\$750.00
Master Print & Web Design	SEO, Web Update, Hosting	\$240.00
Pen Craft Design Company	Assistant	\$475.38
Texas Monthly	Advertising	\$2,074.00
Tourism Intelligence	Marketing	\$195.00
Wolf Creek Ski Area	Avalanche Snow Show	\$750.00
<b>TOTAL</b>		<b>\$5,484.38</b>
<b>PUBLIC HEALTH</b>		
Century Link	Telephone	\$174.82
Century Link	Telephone	\$81.10
Del Norte School District	Nursing Position 9/15	\$774.44
Early Childhood Council	Healthy Community Services	\$2,265.00
Lake County Health Dept.	Services	\$725.00
Sanofi Pasteur, Inc.	Medications	\$1,297.97
Valley Courier	Ad	\$128.25
Valley Publishing	Ad	\$209.25
Verizon Wireless	Telephone	\$52.62
<b>TOTAL</b>		<b>\$5,708.45</b>
Alamosa CO Nursing Service	Subcontract Payment	\$298.63
Century Link	Telephone	\$16.15
Conejos County Nursing	Subcontract Payment	\$682.76
Costilla County Public Health	Subcontract Payment	\$4,165.00
First Bankcard	Credit Card	\$439.53
Mekesson Medical Surgical	Medications	\$379.02
Rio Grande Pharmacy	Medications	\$30.00
Saguache CO Public Health	Subcontract Payment	\$1,350.89
Sanofi Pasteur, Inc.	Medications	\$1,254.93
WSB Computer Services	Google Apps	\$250.00
<b>TOTAL</b>		<b>\$8,866.91</b>
Community Bank	October Payroll	\$4,324.01
Rio Grande County Treasurer	October Payroll	\$5,398.94
<b>TOTAL</b>		<b>\$9,722.95</b>

It was noted that the jail is \$30,000.00 over budget for maintenance.

Ms. Osborn reported that the two Underfunded Courthouse grants have been submitted. There will be a hearing the first week in December and will likely be a telephone conference.

Ms. Osborn requested a signature on the Memorandum of Understanding between the San Luis Valley Rural Electric Cooperative and Rio Grande County for the purpose of achieving the various aims and objectives relating to the Beaver Mountain Estates Fiber Optics Project. Ms. Osborn reported that County Attorney Bill Dunn reviewed the MOU and made minor changes, as did Road and Bridge Supervisor Patrick Sullivan. Ms. Osborn reported that Monroe Johnson, SLV REC, has agreed to the terms of the MOU. Commissioner Bricker moved to approve the MOU as presented. Commissioner Shriver seconded the motion and the motion carried. Chairman Davie signed the MOU.

Ms. Osborn requested signatures from the three Commissioners on a letter of support for the legislative approval for the Department of Parks and Wildlife to purchase three acres in South Fork. The letter was signed.

Ms. Osborn presented the 2016 Rio Grande County Tourism Board marketing plan for the Board's review. No action was taken.

Ms. Osborn reported that the SLV TPR meeting, originally scheduled for November 5, 2015, was cancelled.

Ms. Osborn presented three bids for two picnic tables to be placed at the Summitville shelter. The prices ranged from \$1,567.38 to \$1,876.23. The tables are made of 14 gauge, 2-inch metal and have a 5-year warranty on their finish. Ms. Osborn confirmed that the cost of the picnic tables was included in the project's budget. Commissioner Shriver moved to accept the bid from School Outfitters in the amount of \$1,567.38. Commissioner Bricker seconded the motion and the motion carried. It was agreed to purchase the tables now and store them until they can be installed at the shelter.

Ms. Osborn reported that the Courts are rewiring the computer and telephone system. The contractor wants to streamline the wiring configuration above the ceiling. The consensus of the Board was to streamline the wiring.

Ms. Osborn reported that she met with the managers of the Town of Del Norte, the Town of South Fork, and the City of Monte Vista on Friday, October 30, 2015. The group is drafting a code of ethics. Ms. Osborn reported that Forrest Neuerburg, City of Monte Vista, suggested that instead of proceeding with the proposed Monte Vista Recreation District, the plan be changed to a Rio Grande County Recreation Department and that a mill levy be placed on the County.

Commissioner Bricker reported that there is strong support from all three towns for the County-wide recreation department. While the group wanting a swimming pool is outspoken, Commissioner Bricker said the recreation funds will be used for other things as well. She said there have been negative comments about the 10 mills being proposed.

Ms. Osborn asked what the timeline would be if Monte Vista drops its current proposed service plan. Commissioner Bricker said she thought it would be wise to drop the proposed service plan. Commissioner Shriver said in her draft of a County-wide plan no new buildings will be built until existing structures are used or maintained, yet the proposed plan calls for building a new swimming pool. Chairman Davie noted that the Town of Del Norte turned down the High Valley Community Center recreation district proposal. Commissioner Bricker noted that a swimming pool was not included in the HVCC vote. Chairman Davie said that Monte Vista can withdraw its proposed service plan, but that does not guarantee that the County will back another plan.

Ms. Osborn noted that the timeline for getting the measure on the May 2016 ballot is a struggle for Monte Vista at this time. She also noted that the card sent to residents of the Monte Vista fire district was confusing and that the email address did not work.

Ms. Osborn reported that the Building Department requires a building permit for the renovation of the incubator building in Del Norte that will be used for a welding class. RG & Associates was asked to bid on the engineering plan sketch for the renovation and the bid came in at \$25,000.00 to \$30,000.00. Ms. Osborn is doubtful that the building will be ready for the January 2016 classes, and noted that other, lower bids would likely be needed. Commissioner Shriver asked if a Department of Local Affairs grant might be available, and if the Town of Del Norte might be able to contribute to the costs.

Ms. Osborn reminded the Board that a work session to review the 2016 County budget would be held after the Public Hearing. Ms. McGraw noted that the jail has been over budget since

February, but the maintenance costs have been necessary. Chairman Davie noted that the energy audit should be taking care of these costs. Ms. Osborn said that Siemens reviewed the maintenance costs on October 28, 2015. Ms. McGraw said that some of the costs that have been paid should have been covered by warranties on the original work. She also noted that the original maintenance budget of \$5,000.00 should not have been that low.

Ms. Osborn reported that the final Payment in Lieu of Taxes funds had been received in the amount of \$61,000.00. Ms. McGraw reported that the Emergency Manager funds for the first and second quarters of 2015 had been received.

The October 2015 Sheriff's meal log was presented:

Inmate Meals:	2,908
Cook Meals:	32
Jailer Meals:	495
Office Meals:	115
TOTAL:	3,550
Food Cost:	\$4,510.64
Cost Per Meal:	\$ 1.27

At 9:50 a.m., the meeting of the Board was adjourned to the Public Hearing.

At 10:00 a.m., the Public Meeting to consider the Monte Vista Recreation District service plan was called to order. The Board of Rio Grande County Commissioners was present. Rose Vanderpool, Land Use Supervisor was present.

Ms. Vanderpool explained that the Rio Grande County Planning Commission met on October 20, 2015, to review the proposed Monte Vista Recreation District service plan from the San Luis Valley Aquatics and Fitness Center. The Planning Commission recommended that the plan be moved on to the Rio Grande County Board of County Commissioners with contingencies: amend the financial plan to include a detailed/concise budget plan and have it submitted before the public hearing; and detail the representation by tax base. Ms. Vanderpool reported that at the time of the meeting, neither of these contingencies was submitted by the SLVAFC. Ms. Vanderpool noted that according to C.R.S. 32-1-202(2), the Board was required to hear the issue. She also reported that several opt-out letters have been received from citizens in the district and one letter in support of the project had been received.

Jenny Nehring was recognized and addressed the Board. She requested that the Board revisit the idea to create a County-wide recreation district. After attending the Economic Summit in October, Ms. Nehring said she believed a County-wide district was a common vision for the County. She said a County recreation department would set in motion the process of working across the County. Ms. Nehring said that recreation is the biggest asset of the Valley and that residents should have the option to vote on either a district or a County department. Ms. Nehring reported that a postcard had been sent to the citizens in the Monte Vista fire district notifying them about this hearing and about the continuation hearing scheduled for November 18, 2015, at 5:00 p.m. Ms. Nehring said that if the County would consider a County recreation department, the SLVAFC would join it for the larger benefit of the community.

Commissioner Bricker explained that funding would have to come from either sales taxes or from a mill levy. She said she was in favor of the County recreation department, where the funding would be divided between the communities of Monte Vista, Del Norte, and South Fork.

Matthew Martinez, Monte Vista City Council, was recognized. He explained that with a County recreation department, the funds for each recreation district, as defined by fire district boundaries, would stay with each community. Each town would have its own recreation board with a representative to the County recreation department. Councilor Martinez said that if a town planned a big project, the individual towns could decide whether or not to support it. He said that creating a County recreation department was an opportunity for the County to pull together.

Commissioner Bricker asked if the SLVAFC had discussed the issue with the other communities. Ms. Nehring said that a meeting had been held and there is buy-in from Del Norte and South Fork. While the group that met did not establish how the recreational funds would be used, everyone sees the benefit of working together. Ms. Nehring said that recreation is a wide idea and encompasses many different things.

Chairman Davie noted that the public hearing had been called to discuss the Monte Vista Recreation District. He pointed out that the proposal could be rescinded and the process could be started over to include the other communities.

Commissioner Shriver explained that a previous public meeting May 11, 2015, about creating a County-wide recreation department was exploratory. She explained that she was the author of the original County-wide service plan. She agreed that there are many opportunities for recreation that provide economics, physical and mental health benefits. The issue at that time became one of determining whether the department would include broad interests or if it would be controlled by a special-interest group.

Commissioner Bricker explained that it was important to be transparent about why the Board did not move forward after the May meeting. While all the communities were positive about the County recreation department, those in opposition to the project felt it would be dominated by a special interest group interested only in building a swimming pool. Commissioner Bricker said that she did not feel that the swimming pool dominated the discussion.

Ms. Nehring acknowledged that the "pool voice," at the May meeting was large that night. While Monte Vista wants a pool in the community, it would not be used exclusively by residents of Monte Vista. She said that there would be a great deal of use by Alamosa residents. She said that a County recreation department would provide representation across the County. Ms. Nehring asked what funding could be generated, what donations could be gathered, and how the funds could be leveraged. She noted that community involvement is essential.

Commissioner Shriver said that there were both pro and con comments about the swimming pool, and the only way to know where the community stands is to vote. Ms. Nehring agreed.

Commissioner Bricker said the negative comments had less to do with the pool than with the proposed mill levy.

Chairman Davie suggested that the discussion continue regarding the Monte Vista Recreation District.

Patrick Sewell was recognized. He said he represents 15 people from SLVAFC who want to figure out a way to get a pool. He said he was disappointed when the Ski Hi Pool closed. He noted that the recreation district was not making headway, so another option was to build a pool in Monte Vista. He said that finding funding was difficult and the group looked into outside donations. He noted that there is interest but the project needs community support. He said a mill levy override is one way to proceed. After the October Economic Summit's message of working together, Mr. Sewell said the County recreation department is now a good idea. He asked why the Monte Vista Recreation District proposal would have to be dissolved before a County recreation department could proceed.

Commissioner Bricker explained that if the Monte Vista Recreation District is placed on the May 2016 ballot, it might not pass. If that happened, the process could start fresh and the County could work together. She said this is what the community wants. She said it would probably be good to rescind the ballot question and start over.

Randy Wilde was recognized. He asked if the community of Monte Vista could afford the proposed mill levy. He provided statistics: real estate values in Monte Vista are 50 percent lower per capita than the national average and 60 percent below the national average. He said the town is stagnate and declining. He asked what the projected income from the pool would be. He asked who will pay for it. He said a mill levy would hurt Monte Vista; it cannot afford it.

Councilor Martinez disagreed that Monte Vista is declining. He reported that a new business, bringing in 25 jobs, is coming to Monte Vista. He noted that Monte Vista is not out of the recession yet, but that it is better. He said something is needed from the County Commissioners in order to dissolve the proposed recreation district. He asked for buy-in from the Commissioners for the good of the County.

Chairman Davie asked for a show of hands in favor of and against the Monte Vista Recreation District. Some hands were raised in favor; more hands were raised against.

Mr. Wilde noted that Monte Vista has lost more than 25 jobs over the years and that it is still in decline.

Councilor Martinez said that more jobs are coming. He also clarified that the hearing was to discuss the Monte Vista Recreation District, not just the swimming pool.

George Rowe was recognized. He explained that he is retired and on Social Security. He said that there simply is not enough money to go around, and that there is no decent medical insurance. He said that the postcard sent by SLVAFC was very vague and the listed website was not clear.

Carl Worley was recognized. He owns property north of Monte Vista. He said a tax increase would hit him hard. He said the tax increase should be for the Valley, not just the district.

Dave Reschke was recognized and sworn in. He said that the pool in Monte Vista was part of his children's lives growing up, and when it closed they were disappointed. He said creating a County-wide recreation department was his preference. He said the challenge is to keep people in the San Luis Valley. He said that collaboration is good and used the example of the community coming together to raise funds for and build the sports complex in Monte Vista. He explained how the group worked together to get a running track and that it raised funds from various outside donations. He recommended giving people a chance to vote.

Leslie Cahill was recognized and sworn in. He said that 27 stores in downtown Monte Vista are empty and there is no revenue. The owners of the buildings pay taxes with no money coming in. He said there are many Social Security recipients in Monte Vista, and there has been no increase in their payments for three years. A retired worker receives \$1,341.00 per month. He said this is a bad time for a mill levy and recommended voting it down.

Craig Barlow was recognized and sworn in. He said he agrees that commercial and residential property taxes are very high. He said rents are down and there are empty spaces in Monte Vista. Any rent collected is used to pay taxes and insurance. He said that both County and City services have declined. He said a pool would be nice, but the community needs to heal first. He recommended making it affordable to start a business in Monte Vista and then move ahead with this project. He said that funds should be used for economic stability.

Bob Davie was recognized and sworn in. He reported that of the 11 houses on his block, only four people will utilize the proposed recreational district. He said that income in Monte Vista is not at the high end. He said there has been no increase in Social Security payments, so a 10 mill increase (\$80.00 increase in property taxes) might be difficult for some people. He said that health insurance and prescription drugs are difficult to obtain. He reported that Monte Vista has increased its water fees by \$3.00 in order to maintain street lights. Monte Vista cannot afford the recreation district and he feels the County-wide department might work, but the mill levy must be reduced. He said that the residents of Monte Vista believe that the 10 mills will disappear, but it will not. Mr. Davie said that it will likely increase. He recommended that until Monte Vista gets back on its feet, the recreation project should be a County-wide department.

Kristy Dennis was recognized. She said she is a tax payer in Monte Vista, and pointed out that the hearing was off track because people were saying that they would rescind the Monte Vista recreation district proposal if the County would take it on. She said that while she has not followed the advertising of this hearing, she understands the recreation options but feels that Monte Vista needs to get back on track. She noted that Monte Vista's economic development team is working but it struggles. She would not support the Monte Vista recreation district plan. She said she needs more details and asked how the facility would be sustained.

Terry Sievers was recognized and sworn in. He said the San Luis Valley was his home. He noted that the discussion going on was not what was advertised in the letter sent to residents. He said that tourists are not coming to the area for the pool. He said that recreational opportunities do not lie in the City; rather, they are in the mountains. He recommended that these opportunities be discussed with the Forest Service and the Bureau of Land Management. He reiterated that the letter sent to residents was about forming a recreation district in Monte Vista. He said that the crime is high in Monte Vista, income is lower, and property taxes are higher. He said he understood that once the building and the pool are paid for it will revert to a private business. He said he is against tax dollars being used to establish a private business. He also said that allowing residents with more than 40 acres to be exempt from the mill levy was not right.

Chairman Davie explained that residents owning 40 or more acres that were zone agricultural were exempt from the mill levy. Commissioner Shriver explained that state guidelines determine how a district works.

Mr. Sievers noted that the athletic complex was built with grant funds rather than from a mill levy. He said that taxes should be used to educate children—these taxes are acceptable but taxes to build a swimming pool are not.

Dwight Freeman was recognized and sworn in. He reported hearing about the proposed Monte Vista recreation district proposal at the Planning Commission meeting. He said that he is a Sargent area tax payer. He said that the Commissioners did not hear the best plan and said that it is hard to understand. He said the plan is very confusing and asked for clarity. He recommended that the plan be withdrawn until a better plan could be submitted. He asked who will pay the costs of the recreation district and said that people should share the burden. He said that a tax district would be a burden and is too expensive. He noted that the County Commissioners have to follow State statutes to approve a district. Mr. Freeman said that this project is premature and noted that the County cannot fund all projects. He cautioned that the pool and the recreation district could fail because of pushing too hard.

Refugio Cancino was recognized and sworn in. He is from Denver and owns property in Monte Vista. He said he did not receive the letter to residents, but did receive the postcard. He plans to retire in Monte Vista in the next 10 years. He said he pays both Denver and Monte Vista taxes and will likely opt out of the recreation district. He said that the mill levy was probably needed to create a recreation district, but if it passes, he will likely sell his property. He said that if the County is involved it might be a better option.

Forrest Neuerburg was recognized and sworn in. He said his comments were his personal opinion. He said a County-wide recreation department would spread the costs across the County. He said the Shriver proposal was good, but what was unknown was the pool and recreation in Monte Vista. He said he supports the County-wide department. Mr. Neuerburg noted that a recreation district would be a government entity; the pool would be owned by the district. He noted that some areas of the Valley have gotten grants to develop recreational opportunities for children. He said that recreation opportunities build children's skills. He said that crime is being addressed in Monte Vista, but there is a need for education and recreation for children. He said he prefers a County-wide department to spread the tax burden, and asked for some kind of buy-in from the Commissioners before the Monte Vista recreation district proposal is rescinded.

Suzanne Gosar was recognized and sworn in. She said she values all the comments expressed. She said that she is supportive of Monte Vista as a community. She noted that Monte Vista has a great skate park and athletic complex, and that the golf course struggles. She said that it took Walmart 20 years to steal business from Monte Vista. She said she agrees with the County-wide recreation department. She said that Monte Vista is a beautiful community.

Jeff Johnson was recognized and sworn in. He said he lives within the fire district. He requested that the County Commissioners not go forward with the proposed recreation district plan and noted that he will opt out. He noted that the water subdistricts were opt-in plans and that the costs for these subdistricts potentially could add \$10,000.00 to his taxes. He said that he will explore selling his land. He said that Monte Vista is in decline and has lost businesses. He said that Monte Vista needs to heal. He said that he is supportive of the pool, but a County-wide department would help spread the taxes.

Charlie Burd was recognized and sworn in. He said that recreational opportunities speak to the health of a community. He said that he favors the County-wide recreation department, but that this was not the purpose of this hearing. He noted that the Monte Vista recreation service plan was primarily concerned with a pool, and that it lacks transparency. He recommended that the proposed plan be rescinded and reorganized. He recommended that the County move forward with a County-wide recreation department with a reasonable mill levy (10 mills is too much). He said that Monte Vista cannot afford a swimming pool. He said this mill levy is excessive and recommended that the committee start again. He said that no one is in favor of a pool and recommended that people need to work together.

Dwight Freeman noted that people owning 40 acres zoned agricultural are automatically excluded from the mill levy.

Chairman Davie said that residents owning fewer than 40 acres could opt out. The letters were judged by the Board of County Commissioners and then by a judge.

Charlie Spielman was recognized and sworn in. Mr. Spielman is the president of the Monte Vista Economic Development Corporation and is a property owner in Monte Vista. He said that it is not an option to wait for business in Monte Vista and the County to get better. He said it will not get better. He noted that part of the quality of life in the area is recreation and that recreation will help draw new businesses to the area. He said the best way to doom a project is with fuzzy ideas regarding the plan and the costs. He said that what is needed is a concrete idea of what people want. He said it is a good idea to locate the pool near the athletic center. He said the

recreation plan should be County-wide. He said that funding for the capital costs should be raised through grants, bonds, and a mill levy as opposed to the costs being borne by people using the pool.

Charles McClure was recognized. He asked whether a resident can vote if he or she opts out of the plan. He was told that a resident can vote.

Jenny Nehring said that she recommended revisiting the recreation plan after hearing the suggestions at this hearing and the suggestions from the Planning Commission. She asked the Commissioners to have a discussion about the County-wide recreation department. Chairman Davie said the Board would discuss it.

Terry Sievers said that he would be in favor of a County-wide recreation department. He said he would volunteer to take children to the mountains.

Randy Wilde asked if there has been a cause-and-effect study on the effect of the proposed mill levy.

Chairman Davie explained that the hearing would be continued to November 18, 2015, at 5:00 p.m.

At 11:30 a.m., the hearing and the meeting of the County Commissioners were adjourned.

Attest:

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Doug Davie, Chairman

Mona Syring, Clerk and Recorder

#### COUNTY COMMISSIONERS' PROCEEDINGS

State of Colorado            )  
  ss  
County of Rio Grande        )

The Board of Rio Grande County Commissioners met in regular session on Thursday, November 12, 2015. Members present were Chairman Doug Davie, Commissioner Karla Shriver, Commissioner Pam Bricker, County Administrator Carol Osborn, and Clerk of the Board Mona Syring.

At 9:00 a.m., Chairman Davie called the meeting to order. Commissioner Shriver led the opening prayer. The Pledge of Allegiance was said. Commissioner Bricker moved to approve the agenda with the addition of an application for a liquor license renewal. Commissioner Shriver seconded the motion and the motion carried. Commissioner Shriver moved to approve the minutes from the November 4, 2015, meeting with changes. Commissioner Bricker seconded the motion and the motion carried.

Suzanne Bothell was present to observe the meeting.

At 9:05 a.m., Chairman Davie asked if there were public comments. Brenda Felmlee, Field Representative for Representative Scott Tipton, was present to update the Board. She reported that she attended a meeting regarding weed mitigation at the Monte Vista Wildlife Refuge. She said it was a good discussion. Ms. Felmlee reported that Sharon Bond, Complex Manager of the Monte Vista Wildlife Refuge, was getting assistance from the regional weed manager from Montana to help develop a plan for managing weeds. She said that all communication regarding this issue would go through Representative Tipton's office. She noted that there is a federal mandate to manage weeds appropriately. She also noted that Congress will pay the appropriations bill on December 11, 2015.

At 9:15 a.m., Patrick Sullivan, Road and Bridge Supervisor was present to update the Board. He reported that paint striping has been completed on major thoroughfares. Next year, all roads will be completed. Schedule A road gradings are complete and some roads have been graded twice; a report has been sent to the Forest Service.

Mr. Sullivan reported that Road and Bridge staff attended a safety training course and that it was good training. The cost of the training was approximately \$1,000.00.

Work has been started on Frisco Creek Drive, including tree removal, culvert replacement, and staking. Mr. Sullivan said that this project was planned to take two weeks, but it has taken three.

A creek had to be shut down in order to repair and stabilize the road. Mr. Sullivan said a water line was discovered under the road and there were problems with it. The Road and Bridge crew repaired and stabilized the line. Commissioner Bricker asked for clarification. Mr. Sullivan said the line was three-and-a-half to four feet below the surface of the road and was broken when the road was being dug. It took a full day to make the repairs, but the road is now dried up and has been improved.

Mr. Sullivan said the snow plow equipment is being prepared for use.

Mr. Sullivan said the hot plant has been closed. He said there was a break-in at the hot plant and some tools were stolen. He is waiting for the Sheriff's report and then will file an insurance claim.

Mr. Sullivan said that winter maintenance is being completed on the Department shops.

The Road and Bridge Department is working with Xcel Energy on its high pressure gas line project at the intersections of County Road 1 South and Highway 160 and County Road 3 East and Highway 160. The Department has provided equipment and parts.

The Road and Bridge Department located and prepared a space near the courthouse shop for a new propane tank. He also reported that the Department is blending fuel.

Mr. Sullivan said that work would be done at the McMullen Building in Monte Vista on November 23, 2015. Other proposed work includes finishing the preparation of snow plow equipment, completing work on Frisco Creek Drive, and completing engineering work on County Road 15. Mr. Sullivan said he anticipated that Southway Construction will begin crushing at the Del Norte pit.

Mr. Sullivan thanked the Board for the County employee appreciation dinner; Chairman Davie thanked Mr. Sullivan for his work, and introduced Brenda Felmlee. Mr. Sullivan's family and Kristy Dennis were present.

Ms. Felmlee presented Mr. Sullivan with a Congressional Tribute and read the tribute. She said Congress appreciates the work Mr. Sullivan has done and continues to do. Mr. Sullivan thanked his family for its support. He thanked the Department and pointed out that the work is a team effort; he said the Department is a family and the Department and the Board are family. He thanked Representative Tipton for the tribute.

Mr. Sullivan explained the nature of the work performed in the Rimrock area. An email from Dave and Jill Edwards, residents of the Rimrock Ranch, indicated they noticed that a section of road extending from Lariat Road to the beginning of the Bureau of Land Management #5115 trailhead had been graded and improved. The email asked for details about how this work was arranged. Mr. Sullivan explained that the Department had been contacted by Charlie Burd, who maintains this road for the Property Owners Association. Mr. Burd requested that the Department shave the road and Mr. Burd paid for this work. Mr. Sullivan said the project took a little more than a day to complete and noted that there are times when the Department has equipment that private contractors do not to complete this kind of work. Mr. Sullivan said that this road is not being put into the County system.

Mr. Sullivan reported that the San Luis Valley Rural Electric Cooperative is doing well installing internet cable at Beaver Mountain Estates. However, the work being done on Sherman Avenue in Monte Vista has some problems. Broadband cable for this area was originally planned to be hung on existing poles, but Mr. Sullivan has received a request to drill on Mesa Drive. There is no room for this, and this issue needs to be resolved.

Mr. Sullivan said he is working out a bill for phone line repair on County Road 15.

At 9:40 a.m., Gary Johnson, Monte Vista Skate Rink Committee, and Patrick Sullivan, Road and Bridge Supervisor, were present to discuss building the skate rink. Mr. Johnson reported that the Memorandum of Understanding between the City of Monte Vista and the County has not yet been prepared. The Monte Vista City Council voted to approve the MOU with contingencies; some detail needs to be added. The final vote will be taken November 19, 2015, and then construction work on the rink can be started.

Mr. Sullivan noted that he has sent Mr. Johnson his concerns regarding how the soil in the area of the rink will be handled. Mr. Johnson said that Robert Vance, Monte Vista Public Works Director, will be involved in this decision, but he is on vacation until November 13, 2015.

Mr. Johnson reported that the committee has received \$9,000.00 of the \$10,000.00 needed to complete the skate rink. Opening day is still scheduled for December 4, 2015, but it might have to be moved to a later date.

Commissioner Shriver said it was important that responsibilities are clear in terms of what work will be done by the City and what work will be done by the County. She said the initial conversations indicated that the City has the large equipment needed to do the work. The special sand in the area of the rink is an issue. Mr. Sullivan suggested blading the sand up, then putting the rink liner down, then removing the sand. The size of the rink needs to be determined.

Mr. Johnson said post holes will need to be dug to support the surround, which will be built with four-foot by eight-foot plywood. There will be approximately 25 posts. Mr. Sullivan commented that there is 12 to 14 inches of washed sand, which, if drilled, will no longer provide a rock-free environment; rocks will be exposed in the drilling process. Mr. Johnson said that an angle-supported structure is an alternative, but would not be as stable as one supported by posts. Mr. Johnson said the recess for the rink liner is 40 feet by 60 feet; the liner itself is smaller and will be placed inside the posts. He said the only construction needed is the surround and the decking. There will be two entrances to the rink on the southwest and northeast ends.

Chairman Davie suggested using drill stem pipe instead of wooden posts. He said this would be a less expensive solution and provide more stability. Mr. Johnson said he would prefer this solution. Mr. Sullivan said a way to drive the pipe into the ground can be found. Mr. Johnson said that U-shaped brackets can be used to secure the surround to the pipe.

Mr. Johnson said he toured the McMullen Building with Dale Becker and found nothing usable for the rink except the small set of bleachers in the building.

Mr. Sullivan asked in what direction the rink would be placed. Mr. Johnson said the 60-foot side would be east to west; the 40-foot side would be north to south. The rink would be sited to the south to accommodate the bleachers. Mr. Sullivan cautioned that using the blinds on the McMullen Building in the wind and snow could ruin them.

Chairman Davie said it would be up to Mr. Vance and Mr. Sullivan to set up the work. Mr. Johnson noted that the City of Monte Vista will do the heavy equipment work. Mr. Vance has assured Mr. Johnson that he can get the work completed even though the holiday schedule is tight. Mr. Sullivan said he would find the drill stem pipe next week. Mr. Johnson said there would be little tolerance in how the surround could be built; the plywood will not be cut. Mr. Sullivan emphasized the need for determining accurate dimensions of the rink before the work starts. Mr. Johnson said that an exact drawing will be done and that materials are available from Valley Lumber. He said the surround needs to be square-edged to make sure the rink liner works correctly. The liner will be put in after the surround is built.

Mr. Sullivan requested the blueprint for the rink as soon as possible so that the correct depth can be achieved. Mr. Johnson said it is important that there will be no shallow spots in the ice. Mr. Sullivan said this would be a labor-intensive project but it can be done. Mr. Johnson will get the details to Mr. Sullivan as soon as possible.

At 10:20 a.m., Ms. Osborn presented the grant agreement between Rio Grande County and the Department of Homeland Security and Emergency Management for signature. Rio Grande County is managing this grant for five counties in the Valley. Commissioner Shriver moved to approve the agreement. Commissioner Bricker seconded the motion and the motion carried. Commissioner Shriver noted that other counties should step up to manage these sorts of agreements in the future.

Ms. Osborn requested a signature on a letter to the airport board concerning drone activity. Commissioner Bricker commented that the letter was good. Commissioner Shriver signed the letter. Chairman Davie asked if the upcoming airport board meeting had been cancelled. Ms. Osborn said the meeting was cancelled because of the appreciation luncheon.

Ms. Osborn presented the Upper Rio Grande Economic Development Council's code of ethics for the Board's review. Any needed changes will be sent to Forrest Neuerburg. The Board will review the code of ethics.

Ms. Osborn presented the agreement for County Coroner services between Rio Grande County and Strohmayer's Funeral Home. The County owes Strohmayer's Funeral Home back pay for storage in the amount of \$1,575.00. The contract has been reviewed by Mr. Strohmayer and his attorney and both are agreeable. Ms. Osborn noted that she has asked Mr. Strohmayer for utility and insurance rates, which will be included in the contract. The Coroner's budget has not

yet been approved. The amount of the contract includes storage, transportation, telephone, and internet costs and will be added as an addendum to the contract.

Chairman Davie asked about the ramifications if Mr. Strohmayer does not receive the back pay for storage. Ms. Osborn said that Mr. Strohmayer is negotiating and this payment will help these negotiations. Commissioner Shriver noted that the budget will be complete next week and all missing information can be included in the contract at that time. Commissioner Bricker agreed.

At 10:30 a.m., Mary Baumfaulk and Sharon Stoeber, Tri- County Citizens, were present to update the Board on activities from August through October 2015. There is participation in all activities:

- Monthly Breakfast
- Dinner Dance
- Exercise Class
- Trips
- Chicken Foot/Cards
- Bingo
- Pool
- Public Health
- Social Services
- Foot Care (from a licensed professional from Alamosa)
- Ceramics Class
- Birthday Celebrations

Ms. Baumfaulk reported that the next monthly breakfast will be December 4, 2015. The Title III transportation program contract has not been renewed, however, passengers are still being taken to Alamosa for monthly shopping trips. Ms. Baumfaulk reported that the recent quilt show was interesting.

Commissioner Bricker asked about the status of the gas leak and hood on the stove used by South Central, a tenant of Tri-County Citizens. Ms. Baumfaulk said a recent letter from South Central did not provide much information. South Central does not have to provide a hood for the stove, but is responsible for the fire suppression mechanism. This stove is 30 or 40 years old and did not pass its last inspection, yet is used every day. Ms. Baumfaulk reported that the Monte Vista Fire Department has been to the facility twice; the pilot light goes out when the wind blows; and the fire suppression system is not compatible with the stove. Ms. Baumfaulk noted that South Central's budget increased this year, but did not include a stove.

At 10:50 a.m., Ms. Osborn reported that the hearing to review the Underfunded Courthouse Grant is scheduled for December 4, 2015. No time has been set, yet. Ms. Osborn will present the grant.

Ms. Osborn reported that 12 security cameras will be installed at the courthouse on the first, second, and third floors, and one will be installed outside. The inside cameras will be placed at the end of each east-west hallway. The consensus of the Board was to agree with the placement of the cameras.

Ms. Osborn reported that the next meeting with the Colorado Department of Transportation would be January 16, 2016. The next Colorado Counties Inc. meeting will be at the Cheyenne Mountain Resort on November 30, 2015; the dinner will be at 7:30 p.m. Chairman Davie and Commissioner Bricker will attend.

Ms. Osborn reported that the Crane Festival committee had requested a contribution from the Tourism Board or from the County. Commissioner Shriver said the County cannot contribute but the committee can check with the Tourism Board.

At 11:00 a.m., Cindy Owens, Director, and Claudia Weaver, board member, Lil' Tikes Academy Inc., were present to request support for a new early learning center for children 0 to 5 years of age, in Del Norte. The academy can accept up to 32 children, and will also provide an after-school program. The Academy will charge tuition. The Academy has been certified as a 501(c)3 organization and is in the process of purchasing the First Southwest Bank building. Ms. Owens presented her letter of directorship and explained that the organization can take donations. Commissioner Bricker asked if State funds would be available. Ms. Owens explained that families could approach the Department of Social Services for tuition funding.

Commissioner Shriver suggested that this might be a good partnership with High Valley Community Center. Commissioner Bricker suggested partnering with Headstart, as well. Ms. Owens reported that she had gotten some information from HVCC.

Ms. Owens said the Academy will be open from 7:30 a.m., to 5:30 p.m., and that this will help parents. The Academy will serve two meals and a snack every day. Ms. Owens informed the Board that she operated a home day-care center in Alamosa, until she moved to Del Norte.

Ms. Owens reported that her Board of Directors includes Sue Glover, Melanie Dominguez, Claudia Weaver, and Dennis Crown. She requested the support of the Board and asked for economic development funds. Commissioner Shriver explained that no funds would be available from the County, but suggested that the United States Department of Agriculture might be a source. Commissioner Shriver moved to recommend a letter of support for early childhood care, as long as the organization is licensed and regulations are followed. She noted that there is a large demand and need for this service. Commissioner Bricker seconded the motion and the motion carried.

Ms. Osborn asked when the Academy would open. Ms. Owens said that as soon as the bank paperwork was complete, the purchase of the building could go forward. Renovations would be made according to State code. Ms. Osborn asked how often the Academy's Board of Directors meets. Ms. Owens said it meets once a month. Ms. Osborn asked if DSS funds would be used and Ms. Owens said they would be. Ms. Osborn asked when the closing on the building would be. Ms. Owens said the closing would be done before Thanksgiving, and that it would take six weeks to renovate the building. Also, the closing has to be done before the facility can be licensed. Ms. Owens said there was room on the building site for a playground and for a trailer in the event the Academy needs to expand. Ms. Owens said she hopes to open in early 2016.

Commissioner Bricker asked if the Academy would accept infants. Ms. Owens said that children ages 6 weeks to 5 years would be accepted. Ms. Osborn asked what the teacher to student ratio would be, and Ms. Owens said there would be one teacher to four students who are two to three years old, and there would be one teacher for 10 students, age four and up.

Ms. Osborn asked how long the Academy's Board has been in place. Ms. Owens said it has been in place for six months.

At 11:15 a.m., Ms. Osborn presented a letter from Pete Dupree, Colorado Department of Public Health, commending Emily Brown, Susan Stuebs, and Dianne Koshak for their handling of the tuberculosis case in Saguache County.

Ms. Osborn informed the Board that the voucher in the amount of \$21,000.00 to Alcon for work on the Summitville shelter would be paid soon. The Department of Local Affairs grant needs to be completed. The picnic tables for the shelter have been ordered. The tables will be stored in the Road and Bridge shop in Monte Vista for the winter. Commissioner Shriver noted that the kiosks need to be completed.

Ms. Osborn presented the October 2015 County Veterans Service Officers report. Commissioner Bricker moved to accept the report. Commissioner Shriver seconded the motion and the motion carried. Chairman Davie signed the report.

Ms. Osborn reported that she is drafting a County-employee cell phone policy for the Board's review. She explained that some County employees have County phones, while others receive a stipend to pay for their phones. Also, some employees who should receive a stipend do not. Ms. Osborn said it is less expensive to pay a stipend than it is to provide an employee with a County cell phone. The consensus of the Board was that the policy should be fair. No action was taken.

Ms. Osborn reported that she is developing an internal control manual for finances and payroll. She said this is a good tool for auditors to have, because it will provide more detail. As an example, she explained that when employees travel, their expense reimbursements go through the payroll system rather than as vouchers in the accounts payable system. Ms. Osborn will discuss handling reimbursements through the accounts payable system at the managers' meeting on November 18, 2015.

Ms. Osborn reminded the Board about the budget work session scheduled for November 18, 2015, after the managers' meeting.

Ms. Osborn asked the Board to approve the County portion of the health insurance coverage; the percentage for 2016 will be the same as it was in 2015. The consensus of the Board was to

approve the percentage. Commissioner Shriver asked Ms. Osborn to explain this at the managers' meeting.

Ms. Osborn reported meeting with Finance Officer Lori McGraw and auditors from Wall Smith Bateman & Associates to discuss having auditors do a test of the County finances. Commissioner Shriver was supportive of the test, but asked Ms. Osborn to clarify the time that will be spent and at what cost before proceeding.

Ms. Osborn reported that the County sick-leave policy allows employees to take five days off per year to care for family members. However, the Family Medical Leave Act allows employees to take a 12-week leave after three days. Ms. Osborn said the policy may need to be reviewed.

The Board discussed the airport board work session scheduled for November 17, 2015, and asked if it could be rescheduled for December 8, 2015 at 12:00 p.m. Ms. Osborn will contact Tom Haefeli.

The Board discussed the public hearing on the Monte Vista Recreational District. Commissioner Bricker said the meeting was interesting and that she would like to see the County-wide recreation department move forward. She said if the Monte Vista Recreation District fails in the election, it will leave a bad taste in people's mouths. She indicated that people are interested in the County-wide plan and support is needed from the three communities. She noted that elections are expensive.

Commissioner Shriver noted that the application has been submitted for the Monte Vista Recreation District and the Board cannot dictate its outcome. The Board must work within the statutes before considering any changes to the County-wide plan. Chairman Davie agreed and noted that the Monte Vista service plan would have to be rescinded before the Board could consider a County-wide plan. Commissioner Shriver noted that the two contingencies required on the Monte Vista service plan by the Planning Commission have not been submitted and that they were due before the public hearing. Ms. Osborn said 50 opt-out letters have been received.

Commissioner Bricker noted that the Board does not have to approve the Monte Vista service plan. Chairman Davie said the hearing would be continued (November 18, 2015, 5:00 p.m.) then the Board could approve or disapprove the service plan, or the service plan could be rescinded. Then the feasibility of a County-wide plan could be discussed. Commissioner Bricker said there would be no statement before the continuation hearing.

At 11:45 a.m., Ms. Osborn presented a liquor license renewal application for the Shy Clown Nite Club in Monte Vista (1240 Highway 285). The application was submitted by Lillie Munoz for a Tavern Liquor License. The lease on the building expires January 5, 2020. Commissioner Shriver moved to approve the liquor license renewal. Commissioner Bricker seconded the motion and the motion carried.

There will be an Action 22 meeting November 19, 2015, at 10:00 a.m.

At 11:52 a.m., the meeting was adjourned.

Attest:

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Doug Davie, Chairman

Mona Syring, Clerk and Recorder

#### COUNTY COMMISSIONERS' PROCEEDINGS

State of Colorado            )  
  ss  
County of Rio Grande        )

The Board of Rio Grande County Commissioners met in regular session on Wednesday November 25, 2015. Members present were Chairman Doug Davie, Commissioner Karla Shriver, Commissioner Pam Bricker, County Administrator Carol Osborn, and Clerk of the Board Mona Syring.

At 9:00 a.m., Chairman Davie called the meeting to order. Ms. Osborn led the opening prayer. The Pledge of Allegiance was said. Commissioner Shriver moved to approve the agenda with the addition of an executive session regarding personnel matters. Commissioner Bricker seconded the motion and the motion carried. Commissioner Bricker moved to approve the

minutes from the November 12, 2015, meeting with changes. Commissioner Shriver seconded the motion and the motion carried.

Chairman Davie asked if there were public comments. Gary Johnson, Monte Vista Skate Rink Committee, was present to inquire about the approval of the Memorandum of Understanding between the City of Monte Vista and Rio Grande County regarding the building of an ice skating rink in Monte Vista. Ms. Osborn noted that both she and Patrick Sullivan, Road and Bridge Supervisor, had made changes to the MOU. It was noted that the County will help with construction and that Chairman Davie would sign the MOU later in the meeting. Mr. Johnson reported that the posts to support the surround have been installed. Opening day is scheduled for December 11, 2015, but it may be moved to a later date, depending on the weather. Mr. Johnson thanked the Board for its cooperation on the project.

At 9:10 a.m., the meeting was adjourned to the Board of the Department of Social Services.

At 9:30 a.m., the meeting of the Board was reconvened.

Ms. Osborn noted per diem and travel expenses included in the November payroll:

DSS:	\$295.00
Pest Control:	\$ 50.00
Public Health:	\$563.00

Ms. Osborn reported that the Sheriff's maintenance budget was increased for 2016.

At 9:25 a.m., Emily Brown, Director of Public Health, was present to update the Board.

Ms. Brown thanked the Board for participating in the Rio Grande Hospital Community Health/Needs Assessment meetings. The next meeting will be December 7, 2015, to compile the ideas presented and to discuss how mental health and behavioral health fit into the hospital's mission. She noted that many good ideas were presented, but not all of them are the hospital's responsibility. Commissioner Shriver thanked Ms. Brown for her work on this project.

Ms. Brown requested ratification of the San Luis Valley Public Health Partnership application to the Colorado State Innovation Model Local Public Health Funding opportunity in the amount of \$153,645.00 for three years. The Department of Public Health will receive \$23,000.00, so the 2016 income stays the same as it has been. Audit and administrative costs were included in the amount. A decision will be made in early December and the grant will go into effect February 1, 2016. The grant will be handled by the Department for multiple agencies. Commissioner Shriver moved to approve the grant application in the amount of \$153,645.00. Commissioner Bricker seconded the motion and the motion carried.

Ms. Brown reported on upcoming meetings and trainings:

- Colorado Department of Public Health and Environment visit for new EPR director, November 30, 2015
- Rio Grande Hospital final Community Health Needs Assessment meeting, December 7, 2015
- Colorado Health Foundation Listening Tour, December 9, 2015, 2:00 p.m., the Annex
- Emergency Preparedness Meeting, December 10, 2015
- Tuberculosis Taskforce, December 16, 2015
- Rocky Mountain Prevention Research Center discussion regarding partnering on needs assessment processes, January 20, 2016, 1:00 to 3:00 p.m.
- Regional Care Collaborative Organization/Integrated Care Health Partnership Resource Sharing Meeting, January 26, 2016

Ms. Brown reported that the Centers for Disease Control is providing research funding for needs assessments, and the Department is applying again. This will be discussed at the January 20, 2016, meeting.

The meeting on January 26, 2016, will discuss care coordination to help reduce Medicaid costs. Care has been duplicated between agencies. Options, Public Health, and Behavioral Health will be involved.

Ms. Brown reported receiving the last payment for VaxCare and the Department is working to match payments with records. There are problems with Medicaid payments for flu vaccinations

being sent to the Department of Social Services rather than to Public Health. When patients re-enroll in Medicaid, this may streamline the payment process.

Adams State University nursing students will present an overview of medication administration training to the Sheriff's department. Undersheriff Raps will coordinate the training. Ms. Brown noted that the students can do the training overview, but not the actual training.

Ms. Brown reported that the new health coordinator for Monte Vista Headstart has requested a contract with Public Health for services. This is an annual contract, and the Department has a similar contract with Del Norte Headstart. Some of these services can be billed.

Ms. Brown reported that La Llave Family Resource Center is starting a program called SafeCare. This is a parenting project that includes reading programs, child health, and home safety training for parents. It is a referral program. Commissioner Bricker noted that Coral Hartless, the new director of La Llave, seems to be getting programs going better than they have in the past. Commissioner Shriver noted that parents need education on how to be parents. Commissioner Bricker agreed, and Ms. Brown said that La Llave is a good resource.

Ms. Brown reported that she has distributed two "Substance Abuse Efforts across the SLV" newsletters. There are 245 subscribers with an open rate of approximately 50 percent. Commissioner Bricker asked if the street drug problem is improving. Ms. Brown responded that the group meetings, such as the Monte Vista Neighborhood Watch, to address the issue go well and that people seem to feel more on top of the issue.

Ms. Brown noted that a grant in the amount of \$100,000.00 is available to provide the drug, Naloxone, which will counteract overdoses. The Department is promoting that police and families have access to the nasal spray form of this drug, because the nasal spray is safer than the injectable form. Legislation is pending to address the issue of whether a prescription is needed to obtain Naloxone. Ms. Brown explained that there is a State standing order that allows anyone to obtain the drug from any pharmacy. However, none of the pharmacies in the Valley has this standing order, but the grant will get the drug to the pharmacies for six months. Ms. Brown said that education is needed and that this is a rural pilot project. Medicaid will cover the cost of Naloxone (approximately \$20 to \$40 per dose). Naloxone has a shelf life of 18 to 24 months.

Ms. Brown requested a signature on the independent contractor agreement with Kristi Hillis. This is an annual contract funded with tobacco money. Ms. Hillis's evaluation will be shared. Commissioner Shriver moved to sign the contract. Commissioner Bricker seconded the motion and the motion carried. Chairman Davie signed the contract.

Ms. Brown reported that Carol Keith, the new environmental health technician, is doing well. She will handle inspections and food training.

Ms. Brown reported that Rio Grande, Saguache, and Mineral Counties are working on developing standing orders and policies for public health emergency cache medication.

Ms. Brown reported that the Colorado Association of Local Health Officials in the retail food establishment is negotiating new licensing fees. Ms. Brown hopes the fees will be increased. She noted that restaurants do not like receiving "letter grades," after inspections.

Ms. Brown reported that Onsite Wastewater Treatment Systems will be discussed at a meeting in early December. Costilla has some waste water issues. Ms. Brown noted that regulations need to be consistent across the Valley. Randy Kern, Building Supervisor, has been involved in these meetings.

Ms. Brown will attend a National Association of City and County Health Officials Leadership Development Institute training in Washington, D.C., December 2 and 3, 2015. Public health policy and working with elected officials training are topics included in the training; Ms. Brown will meet with U.S. Representative Jared Polis and Senator Cory Gardner.

Ms. Brown reported that the Interagency Oversight Group will host a second session of the symposium because the first one went so well. This symposium will be open to Department staff.

Ms. Brown reported that IOG is also planning a training for the court system to address ISST and WrapAround, so that the specific needs of children are addressed and they can receive appropriate services. Ms. Brown explained that when a child's issues get to court, the timelines for services do not always mesh. Judges have set aside time for this training day, and the

training will also include Guardians ad Litem and attorneys. Continuing education credits may be available.

Ms. Brown requested clarification regarding the County cell phone and comp time policies. She explained that one Department employee receives a \$43.00 stipend for a cell phone, while another employee uses a County cell phone. Commissioner Shriver asked what the staff prefers. Ms. Brown said that some employees prefer to use their own phones and that some do not want to use a smart phone. Ms. Osborn noted that both non-data and data stipends are possible. Ms. Brown noted that some employees receive many calls, and other employees make many calls and that some also need data plans. Ms. Brown said she would discuss the issue with Department staff.

Ms. Brown explained that Department comp time is tracked monthly and does not usually amount to more than five hours per week. Ms. Osborn noted that November is when comp time is paid, but that the Department has not turned in its time. Ms. Brown said that Department employees try to use their comp time, but that it has not been paid. Commissioner Shriver requested that all County departments be contacted to see how comp time is being handled. Ms. Osborn expressed concern about how comp time is currently handled.

Chairman Davie read a letter from Pete Dupree, Colorado Department of Public Health, commending Ms. Brown, Susan Stuebs, and Dianne Koshak for their handling of the tuberculosis case in Saguache County. Ms. Brown commented that Ms. Stuebs and Ms. Koshak did a good job on this case. A copy of the letter will be put in Ms. Brown's personnel file.

At 10:30 a.m., November 2015 payroll was presented. Commissioner Bricker moved to approve November payroll. Commissioner Shriver seconded the motion and the motion carried.

#### November 2015 Payroll

County General:	\$182,224.43
Road and Bridge:	\$ 63,089.17
DSS:	\$101,140.96
Pest Control:	\$ 3,032.79
Public Health:	\$ 12,797.30
<b>TOTAL:</b>	<b>\$362,284.65</b>

Marty Asplin and Bonnie Asplin, Upper Rio Grande Economic Development Council, and Bonnie Raps, Jeff Head, and Chris Elkins were present to discuss a possible use for the Casa Luminaria building in Del Norte. Mr. Head, the owner of the building, acknowledged that finding a use for the building has been difficult. He presented the idea of using the building as a greenhouse to grow marijuana for wholesale sales to the Denver and Boulder area. No sales (recreational or medical) of marijuana would be conducted from the building; the product would be transported out of the Valley. Mr. Head said this business would be a good source of revenue for the County and would not be a source of crime. The revenue from the sales would be used to clean up the front of the building and the property and would provide additional tax revenue to the County. Commissioner Bricker noted that the Valley is not seeing revenue from marijuana sales in the State. Mr. Head responded that profits from sales could be given back to the Valley. It was noted that the Casa Luminaria building is not in the Town of Del Norte; it is located in the County.

Mr. Elkins, a NASA engineer from Aurora, said he thinks this is a good opportunity. Chairman Davie noted that it would be expensive to tear the building down. Commissioner Bricker asked about how asbestos in the building would be handled. Mr. Elkins responded that because no people would be living in the building, no asbestos mitigation would be necessary; no asbestos would be disturbed in creating the greenhouse. Commissioner Shriver asked if the group understood that the County had issued a moratorium on marijuana sales. Mr. Elkins said the group did understand that, but noted that the possible revenues would equal \$5 million per year. He also stated that the business would only grow medical marijuana.

Mr. Head stated that he understood that he would have to apply for a use change on the building and requested permission to do that. Commissioner Bricker noted that the building is an eyesore. Mr. Head said that the business would clean up the building and the grounds and make it more presentable; revenue is needed in order to do that. Mr. Head also said that an elaborate security system would be installed. Mr. Head said that it might be possible to lease portions of the building not being used as the greenhouse.

Chairman Davie said the Board would discuss the issue. The consensus was to meet again after January 1, 2016. Commissioner Shriver suggested that the group become acquainted with County codes and get a copy of the code book.

Mr. Head said that the boiler system in the building is a problem and air conditioning would have to be installed.

Commissioner Shriver asked if the Town of Del Norte had pulled selling recreational marijuana from its agenda. Mr. Asplin said it had.

Commissioner Bricker asked why Marty and Bonnie Asplin were present for this discussion. Mr. Asplin explained that they were asked to attend the meeting. He explained that other possible buyers of the building need funding to clean up the property, and that the proposed greenhouse is outside the usual funding stream. He said the group needs to find out about licensing. He also noted that the Town of Del Norte has been approached about the idea and is open to it, but has concerns about the impacts the greenhouse would have on the Town. Commissioner Shriver suggested meeting with the community to discuss the proposal.

Mr. Elkins reiterated that this is a business opportunity. Mr. Asplin noted that the Town water and sewer system would be used and that these impacts need to be explored.

Commissioner Shriver explained that the reason the moratorium on marijuana sales was put in place was because the majority of voters in the County did not support Amendment 64 in 2012. The Board wanted to support its constituents. Mr. Head said that this was the reason the group decided to conduct a wholesale-only business. He said the rural location made the business more secure and less expensive. Mr. Asplin noted that Amendment 64 passed by a slim margin in Del Norte. However, in a recent Town meeting Gene Farish, Del Norte Town Attorney, reminded the council that Amendment 64 allowed communities to opt out of marijuana sales.

Mr. Head thanked the Board and said the group would come back after the holidays.

Ms. Asplin requested a letter of support for the nursing home. The consensus of the Board was to write the letter.

At 10:55 a.m., Ms. Osborn presented the URGED Code of Ethics. Chairman Davie asked why a code of ethics was needed. Ms. Osborn responded that it was a result of the recent economic summit. Commissioner Bricker moved to approve the URGED Code of Ethics. Commissioner Shriver seconded the motion and the motion carried. Mr. Asplin explained that the code was drafted from a similar code developed by mayors in the metro area. The Code of Ethics will be signed by the County and by the Town of South Fork, the Town of Del Norte, the City of Monte Vista and URGED. Mr. Asplin explained that URGED is serving as an umbrella organization for the municipalities. Chairman Davie signed the Code of Ethics.

Ms. Osborn reported that more work needs to be done on the County cell phone policy and it would be presented at a later date.

Ms. Osborn presented the MOU between Rio Grande County, the City of Monte Vista, and Gary Johnson dba The Monte Vista Ice Rink Committee to build an ice skating rink in Monte Vista. Ms. Osborn explained that a change was made to reflect that the County and the City will work together on the construction, and that Chairman Davie should sign the MOU rather than herself. Commissioner Shriver moved to approve the MOU. Commissioner Bricker seconded the motion and the motion carried. It was noted that the Road and Bridge department has installed the posts that support the rink surround and that the City of Monte Vista would complete the construction.

Ms. Osborn reported that there are two grant presentations to be made regarding the Underfunded Courthouse Grant on December 4, 2015. She explained that the State requires that the cash match be made on the construction grant, because the State has no funds available for construction. The construction includes the removal of two doors to create a hallway in the jury area. Ms. Osborn requested approval for the letter reflecting the cash match change. Commissioner Shriver moved to facilitate the grant application. Commissioner Bricker seconded the motion and the motion carried.

Ms. Osborn presented a letter from Frances Valdez, Director of the South-Central Colorado Seniors, Inc., thanking the Board for its contribution, making it possible to meet the requirements for receiving federal matching funds.

Ms. Osborn asked the Board if it was available for a breakfast meeting with the Town of Del Norte on December 14, 2015, at 7:00 a.m. The meeting was scheduled.

At 11:05 a.m., Jim Leist, Rio Grande County Unmanned Aerial Vehicle Board Representative, was present to meet with the Board. Mr. Leist introduced himself as the chairman of the Conour Animal Shelter, and thanked the Board for its support of the shelter. He reported that he had been asked to be a member of the UAV Board and he accepted. He asked the Board what outcomes it expects from him as a member of the advisory board. Commissioner Bricker noted that she is a member of the Advisory Board and that a meeting has been scheduled for December 7, 2015. Commissioner Shriver noted that the County is invested in the airport and has an open mind regarding UAVs, but also wants to assure safety. She said it is important to analyze all the options, and noted that Mr. Leist's background will help the Board see the broader picture. Mr. Leist said that he has been flying since 1973 and has been a consultant on aviation contracts world-wide. He asked if the Board required an intergovernmental agreement. Commissioner Shriver said that nothing formal was required other than a consensus to support the Certificates of Authorization (or Certificates of Waiver).

Mr. Leist noted that Alamosa County is carrying all the liability with regard to the UAVs. He asked if this liability covers other counties if the UAVs are approved. He noted that UAVs are not required to have a radar contract and that contact with air traffic control is prohibited. He noted that in 2020, UAVs will be required to have automated broadcasting systems, which are not included in the COAs. The UAVs are hard to see from an airplane.

Mr. Leist asked the Board if the members of the Advisory Board are indemnified. He said that having an indemnification letter or insurance would be nice. He said he does not want to be in the position of making recommendations that others would use to make decisions. Commissioner Shriver said that the Board needs Mr. Leist's expertise.

Mr. Leist said that Tom Haefeli shares Mr. Leist's concerns. Mr. Leist asked what the National Transportation Safety Board's concerns might be. He noted that effective January 1, 2016, all drones will have to be registered.

Commissioner Shriver said that all the pros and cons need to be evaluated in order to make a fair analysis; it is a work in progress.

Mr. Leist said he hopes that drones can be used for economic development. Commissioner Bricker said that drones might be used by terrorists. Commissioner Shriver said that the Board needs help and guidance on the issue. Mr. Asplin noted that good information is needed, especially as it involves the airport. He also said that the drones in question are industrial drones that will be flown by licensed pilots. He said Trinidad State Junior College is in 100 percent support in terms of being able to provide training, which will provide jobs. He said Monte Vista, South Fork, and Del Norte all support UAVs. Mr. Asplin said that air traffic control out of Longmont covers the Valley and that the State wants the program in the Valley. He said eight companies are involved in testing the drones and a place in the Valley is needed for the testing. He also noted that available information is being disserved locally.

Mr. Leist said that a potential problem in testing drones in the area is the increased incidents of homeowners or ranchers shooting them down because people feel the drones are an invasion of privacy. Mr. Leist said that this argument is winning in court. He stressed that the program has to work safely.

Commissioner Shriver said there are two types of UAV users: recreational and commercial. Right now, the focus is on business uses, but recreational uses will follow. Chairman Davie noted that it is the recreational drones that are being shot down.

Mr. Leist said that recreational UAV users are not aware of the regulations. He said the users are not pilots and are scary. Users of commercial drones have to be licensed pilots. Commissioner Shriver noted that there is an education component to this issue and she understands that Alamosa County is working on it.

At 11:32 a.m., County Attorney Bill Dunn and Land Use Supervisor Rose Vanderpool were present to update the Board.

Mr. Dunn reported attending the county attorney meeting where he stayed for three nights, but billed the County for two nights.

Ms. Vanderpool reported that Carolyn Kloberdanz has been back for three weeks. Ms. Vanderpool said the camper is gone. Ms. Vanderpool has received and documented complaints

from Jim Webb and Mr. Hurtado. Ms. Vanderpool has seen the gate to the property open. Ms. Vanderpool noted that the Department of Social Services cannot do anything about the situation.

Mr. Dunn said that if Ms. Kloberdanz is still on the property after the first of the year, the issue can be taken to Federal court.

Mr. Dunn said the county attorney meeting was good. He participated in a property taxation group and learned that the Safeway/Board of Equalization situation is typical of how Safeway conducts its business. He said that El Paso County settled with Safeway, and also noted that the situation is a chronic problem.

Commissioner Shriver asked Mr. Dunn to review the moratorium on marijuana in the County. She noted that several farmers are interested in growing hemp, but do not want to violate the ordinance. Mr. Dunn said that growing hemp might be legal, and Commissioner Shriver asked for clarification. Ms. Vanderpool said that hemp is used for fiber and other products, and noted that the resolution and the code book may have to be amended. She asked if there should be a limit on acreage. Commissioner Shriver said no, but the overall question needs to be clarified.

Mr. Dunn presented an Open Records Request from the law office of Katie Triska for all records relating to Proximity Malt LLC. He said all copies should be billed to the law office. He said all files from the Land Use Department, the Building Department, the Planning Commission, Board minutes, and emails must be included to fulfill this request. Mr. Dunn said he would call to find out the required timeframe for the production of documents. Ms. Vanderpool noted that the maps of the area are too large to copy and can be reviewed in the Land Use Office.

At 11:55 a.m., Ms. Osborn reminded the Board about the Colorado Counties Inc. meeting November 30 through December 2, 2015.

Ms. Osborn presented a proxy vote from the Rio Grande Canal Water Users Association. It was noted that Patrick Sullivan would attend. Chairman Davie signed the proxy.

Ms. Osborn reported that Cardia Cancer Care Plus approached her to provide information directly to County employees. Ms. Osborn does not want the company to talk with individual employees.

Ms. Osborn reported that she has scheduled the Board meetings for 2016, and requested that the Board review the 2016 nominations for various boards. She asked the Board to approve the 2016 Christmas holiday. The consensus of the Board was to take the Monday after Christmas as the holiday. It was also the consensus of the Board to take January 2, 2016, as the New Year's holiday.

Ms. Osborn reported attending the Weed District meeting. She will schedule a meeting to discuss mill levies. She reported that Jim Clare requested a financial report and Ms. Osborn will work with the district to provide it.

It was noted that the City of Monte Vista has withdrawn its recreation district plan.

At 12:10 p.m., pursuant to CRS 24-6-402(4)(f), the Board adjourned to Executive Session for personnel matters.

At 12:50 p.m., the Executive Session was adjourned.

Attest:

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Doug Davie, Chairman

Mona Syring, Clerk and Recorder