

COUNTY COMMISSIONERS' PROCEEDINGS

State of Colorado )  
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 County of Rio Grande )

The Board of Rio Grande County Commissioners met in regular session on Wednesday, September 2, 2015. Members present were Chairman Doug Davie, Commissioner Karla Shriver, Commissioner Pam Bricker, Financial Officer Lori McGraw, 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 accept the agenda as presented. Commissioner Shriver seconded the motion and the motion carried. Commissioner Shriver moved to approve the minutes from the August 26, 2015, meeting with changes. Commissioner Bricker seconded the motion and the motion carried. Chairman Davie asked if there were any public comments and there were none.

At 9:05 a.m., claims were presented. Kristy Dennis was present in case the Commissioners had any questions. Commissioner Shriver moved to approve the claims. Commissioner Bricker seconded the motion and the motion carried.

**COUNTY GENERAL**

Aardvark Plumbing and Heating	Courthouse Leak	\$235.02
Account 499	Deposit Slips	\$54.62
Century Link	Telephone	\$126.94
Century Link	Telephone	\$553.22
Century Link	Telephone	\$417.10
Century Link	Telephone	\$9.24
Century Link	Telephone	\$746.69
Century Link	Telephone	\$97.76
CO Bureau of Investigation	Sheriff	\$525.00
Colorado Assessor's Assoc.	Class Registration	\$50.00
Coty Arthur	Sheriff	\$37.39
Creative Product Source	Sheriff	\$596.85
Digitcom Electronics	Pagers	\$240.00
District Attorney Office	9th Portion Budget	\$14,583.33
El Paso County Coroner	Coroner	\$1,350.00
Eric Schmidt/EMS Service	Ambulance Inspection	\$1,125.00
Glenn's Auto Repair	Sheriff	\$341.03
Great America Financial	Copier Lease	\$418.63
Hart of the Valley, LLC	Repair-McMullen Building	\$305.77
MB Police Equipment	Sheriff	\$292.96
Marathon Systems	Security Absorbent	\$134.35
MGM Carpet Cleaning	Sheriff	\$352.44
Neve's Uniforms	Sheriff	\$192.24
Pueblo Chieftain	Sheriff-Ad	\$481.64
R&D Towing	Sheriff	\$180.00
Radio Services	Sheriff	\$250.00
Ultramax	Sheriff	\$753.00
Valley Courier	Semi-Annual Report	\$224.00
Valley Publishing	Sheriff	\$60.00
Verizon Wireless	Telephone	\$1,264.80
WSB Computer Services	Computer Cable	\$1,825.00
Xcel Energy	Electric/Gas	\$1,695.17
Xcel Energy	Electric/Gas	\$1,964.97
<b>TOTAL</b>		<b>\$31,484.16</b>
Aardvark Plumbing and Heating	Annex Sidewalk	\$5,375.00
Absolute Shine	Sheriff	\$240.13
Brown's Septic Svc Inc.	Sheriff	\$110.00
Business Solutions Leas	Copier Lease	\$54.73
Century Link	Telephone	\$33.13
Chematox Laboratory	Sheriff	\$60.00
Chris Leist	Mileage, Meals	\$178.00
Colorado Assessor's Assoc.	Class Registration	\$10.00

Del Norte Bank	Sheriff	\$15.00
Direct TV	Sheriff	\$152.48
Eva Salazar	Mileage	\$139.50
First Bankcard	Credit Card	\$4,529.77
Forest Stewardship	RWEACT Grant	\$9,666.08
Gobins	Copier Maintenance	\$554.16
Great America Financial	Copier Lease	\$452.00
Hart Intercivic	Envelopes	\$50.00
Haynie's Inc.	Sheriff	\$293.26
Homelake	Postage	\$75.00
ID Edge	Sheriff	\$4,921.90
Ivan Curley Signs	Sheriff	\$350.00
Jack's Market	Sheriff	\$401.15
Jeff Babcock	Homeland Security	\$4,791.45
Ken's Service Center	Sheriff	\$1,715.06
Kristy Dennis	Cleaning Supplies	\$107.53
Maddox Collections	Drug Test	\$80.00
Meadow Gold Dairies	Sheriff	\$354.15
Megan Wilson	Mileage, Meals	\$197.13
Mobile Record Shredders	Document Shredding	\$65.00
Motorola Inc.	Radios	\$3,589.83
Peggy J. Kern	Mileage	\$9.45
Pitney Bowes, Inc.	Rental	\$105.00
Rio Grande Pharmacy	Sheriff	\$1,046.91
Safeway Inc.	Sheriff	\$210.45
Shamrock Foods Company	Sheriff	\$2,864.55
Sherryl Steving	Meals	\$12.43
Sherwin-Williams	Parking Lot Striping	\$238.32
South Fork Lumber	Sheriff	\$36.74
Total Office Solutions	Office Supplies	\$686.89
United Reprographic	Copier Maintenance	\$218.17
Valley Courier	Ad	\$135.00
Valley Electric	Sheriff	\$695.21
Valley Lumber and Supply	Sheriff	\$31.10
Wex Bank	Fuel	\$317.10
Wex Bank	Fuel	\$3,559.30
William F. Dunn	Attorney Fees	\$825.00
WSB Computer Services	Sheriff, Elections, Server, Phones	\$7,446.00
Xerox Business Services	Web Hosting, Software	\$2,549.00
<b>TOTAL</b>		<b>\$59,548.06</b>

American Fidelity	August Payroll	\$223.58
American Public Life	August Payroll	\$81.10
California State	August Payroll	\$500.00
Colorado Dept. of Revenue	August Payroll	\$481.61
Colorado Dept. of Revenue	August Payroll	\$666.39
Community Bank	August Payroll	\$58,407.36
Credit Service	August Payroll	\$179.03
Family Support Registry	August Payroll	\$54.16
Family Support Registry	August Payroll	\$355.00
Family Support Registry	August Payroll	\$405.00
Rio Grande County Treasurer	August Payroll	\$52,548.61
Security Benefit	August Payroll	\$3,075.00
<b>TOTAL</b>		<b>\$116,976.84</b>

**ROAD AND BRIDGE**

Century Link	Telephone	\$57.26
Gunbarrel Service Station	Repairs	\$225.00
<b>TOTAL</b>		<b>\$282.26</b>

Airgas USA, LLC	Lease Renewal	\$274.80
Alta Fuels	Fuel	\$10,768.19
Brown's Septic Service	Restroom Cleaning	\$26.50
Center Parts Store	Parts	\$161.18
Century Link	Telephone	\$56.57
Century Link	Telephone	\$394.64
Century Link	Telephone	\$52.70

Drive Train Industries	Shoe Kit	\$159.96
First Bankcard	Credit Card	\$540.11
Great America Financial	Copier Maintenance	\$136.17
Haynie's Inc.	Repairs, Tools	\$834.65
Lenco West	Parts	\$309.77
Leroy A. Romero	Cleaning (Held)	\$125.00
Maddox Collections	Drug Test	\$25.00
Monte Vista Cooperative	Parts	\$319.06
Monte Vista Machine tool	Parts	\$13.90
Monte Vista Tractor	Parts	\$401.59
Myers Brothers Truck	Parts	\$45.95
Parts Plus	Parts	\$41.76
Pro Com	Drug Test	\$41.00
Safety-Kleen	Parts	\$210.82
Salida Fire Extinguisher	Fire Extinguisher Inspection	\$1,388.00
SLV REC	Electric	\$177.00
Transwest Truck, Inc.	Parts	\$157.51
Valley Equipment Leasing	Lease	\$12,936.47
Wagner Equipment	Parts	\$814.58
Wex Bank	Fuel	\$933.89
Xcel Energy	Electric/Gas	\$10,456.94
<b>TOTAL</b>		<b>\$41,803.71</b>

American Fidelity	August Payroll	\$253.70
American Public Life	August Payroll	\$65.40
Community Bank	August Payroll	\$23,548.92
Rio Grande County Treasurer	August Payroll	\$19,058.63
Security Benefit	August Payroll	\$30.00
<b>TOTAL</b>		<b>\$42,956.65</b>

#### **DSS**

American Fidelity	August Payroll	\$267.64
American Public Life	August Payroll	\$126.30
Community Bank	August Payroll	\$34,720.88
Rio Grande County Treasurer	August Payroll	\$25,672.20
Security Benefit	August Payroll	\$155.00
<b>TOTAL</b>		<b>\$60,942.02</b>

#### **PEST CONTROL**

First Bankcard	Credit Card	\$508.29
Haynie's Inc.	Parts	\$17.49
Mike Schaefer	Reimbursement	\$293.57
Monte Vista Cooperative	Fuel	\$1,080.93
Rocky Mountain Plumbing	Parts	\$89.14
SLV Auto Repair	Shop Supplies	\$524.98
SLV REC	Electric	\$80.00
Total Office Solutions	Office Supplies	\$84.80
<b>TOTAL</b>		<b>\$2,679.20</b>

Community Bank	August Payroll	\$2,558.91
Rio Grande County Treasurer	August Payroll	\$1,400.33
<b>TOTAL</b>		<b>\$3,959.24</b>

#### **AIRPORT**

Airport Development Grp	Fuel	\$5,052.15
Century Link	Telephone	\$119.15
Century Link	Telephone	\$60.13
Colorado Dept. of Revenue	Sales Tax	\$134.00
<b>TOTAL</b>		<b>\$5,365.43</b>

Colorado Dept. of Revenue	Sales Tax	\$296.48
<b>TOTAL</b>		<b>\$296.48</b>

#### **CONSERVATION TRUST**

Carnegie Public Library	Books	\$2,500.00
<b>TOTAL</b>		<b>\$2,500.00</b>

#### **TOURISM**

Rio Grande Circl Association	Membership	\$450.00
Pen Craft Design Company	Assistant, Postage, Supplies	\$481.80
Tourism Intelligence	Google Tracking	\$157.50
<b>TOTAL</b>		<b>\$1,089.30</b>

**PUBLIC HEALTH**

Century Link	Telephone	\$175.03
Century Link	Telephone	\$81.13
Century Link	Telephone	\$2.07
Lake County Health Dept.	Services	\$725.00
<b>TOTAL</b>		<b>\$983.23</b>

Century Link	Telephone	\$15.11
First Bankcard	Credit Card	\$1,295.14
Glaxosmithkline	Medications	\$326.80
Merck & Co., Inc.	Medications	\$1,604.31
Sanofi Pasteur, Inc.	Medications	\$676.37
Staples Business	Office Supplies	\$117.29
<b>TOTAL</b>		<b>\$4,035.02</b>

Community Bank	August Payroll	\$4,308.06
Rio Grande County Treasurer	August Payroll	\$5,398.94
<b>TOTAL</b>		<b>\$9,707.00</b>

At 9:35 a.m., Ms. Osborn discussed the resignation of Louise Colville, Director, Rio Grande County Museum. The issues brought up included hours, budget, and Fair Labor Standards. Chairman Davie suggested that the Museum be closed for the winter and an advertisement for the Director's position can be run in the spring. He also suggested that Ms. Colville can meet with the Board in the meantime.

Ms. Dennis offered to speak to Ms. Colville. Ms. Dennis suggested that a part-time employee be hired to reduce Ms. Colville's workload. Ms. Osborn offered to work with Ms. Colville on a plan to help Ms. Colville work within the budgeted number of hours. Ms. Osborn said the structure of the Museum and the needs of the employees should be reviewed. The consensus of the Board was to remain open to conversation.

At 9:50 a.m., Jerry Dennis, Emergency Manager, was present to update the Board. Mr. Dennis requested a signature on the Emergency Management Program Grant. The grant amount for 2015 is \$40,840.00. Chairman Davie signed the grant. Mr. Dennis requested that when correspondence and checks come in, Ms. McGraw give him copies.

Mr. Dennis reported that in April, the emergency trailer was updated. The trailer is being stored at the airport and is housing some items from Mineral County.

Mr. Dennis reported that he had attended a DTR drill and has attended severe weather workshops. He also attended a Department of Energy workshop on risk assessment if power goes out in the Valley. A dam safety exercise was held, and Mr. Dennis said it went well. An emergency action plan has been developed. Mr. Dennis has attended several Rio Grande Watershed Emergency Action Team meetings as the organization works on becoming a 501(c)3 organization.

In May, Mr. Dennis attended DTR radio drills, RWEACT meetings, and emergency planning committee meetings regarding hazardous materials. Upgraded VHF radios have been acquired through a grant from RWEACT. These radios will provide better communication at Wolf Creek, Lobo Overlook, and Bristol Mountain.

In June, Mr. Dennis was involved with monitoring high water issues in Crestone and notified the Commissioners about the situation, which was a stage 1 alert. A RWEACT workshop was held at Wolf Creek about radar and the burn scar.

In July radios were purchased, along with a docking station for Mr. Dennis's computer. Mr. Dennis attended a budget meeting with the Commissioners. Mr. Dennis reported that the radar station at Lobo Overlook is set up.

In August, Mr. Dennis monitored the Doppler radar station at Lobo Overlook. He reported that there is stand-by power at the station. Mr. Dennis attended a credentialing meeting, where a consistent format for identification badges was discussed. Mr. Dennis explained that it is very important in an emergency situation to know who the emergency workers are, where they are

from, and how they should be paid. He gave the example of “phantom firefighters” who were on-scene during the West Fork Complex Fire, but were not authorized to be there.

Mr. Dennis met with a roundtable group in Durango that is interested in forming an organization similar to RWEACT. Senator Ellen Roberts attended this meeting and Mr. Dennis gave her information about how RWEACT was formed.

In September, Mr. Dennis will attend a Local Emergency Planning Commission conference in Crested Butte, a credentialing conference, and a National Incident Management System 402 class in Del Norte. The 402 class will include elected officials and key personnel who make financial decisions; the discussion will focus on managing an emergency.

Mr. Dennis requested direction from the Board in terms of the scope of his work, and the consensus of the Board was that Mr. Dennis is on target and doing good work.

Mr. Dennis reported that rain gauges are showing minimal activity and that the area is not out of fire danger. The radar systems help, but there is concern about who maintains and pays for them, and who administers their use. Mr. Dennis said that the Doppler radar will come down the end of September.

At 10:30 a.m., Ms. Osborn scheduled a meeting with the City of Monte Vista on September 29, 2015, at 7:00 a.m.

Bill Dunn, County Attorney, and J.J. Mondragon, Rio Grande County Assessor, were present to update the Board about Safeway Stores, Inc. appeal regarding the County Assessor’s valuation of its personal property (schedule 16180000). Ms. Mondragon reported that Safeway has requested binding arbitration in the matter statewide, and that Monte Mullins will be the local arbitrator. Ms. Mondragon reported that the State would like to delay any arbitration until District Court decisions have been filed. Ms. Mondragon said she has received a depreciated cost of property from Safeway, which shows a difference in value of \$1,977.00 (a loss to the County). Because Safeway did not use State assessment tables in preparing this cost of property, Ms. Mondragon does not want to settle the matter with Safeway. Mr. Dunn said that the Assessor is required to follow State guidelines, and if the Assessor lowers the amount Safeway owes, other companies may request the same treatment. Ms. Mondragon said that Mr. Mullins has 60 days to set up the arbitration. The consensus of the Board was to settle the matter through binding arbitration.

Mr. Dunn reported that he signed an opinion letter to Wagner Equipment regarding the leasing of graders for the Road and Bridge Department.

Rose Vanderpool, Land Use Supervisor, was present. Mr. Dunn reported that he had filed a motion for a default judgement against Carolyn Klobberdanz in County Court. The motion was denied because County Court has limited jurisdiction on zoning violations. Mr. Dunn explained that he wanted an injunction against Ms. Klobberdanz, but that County Court can only file such an injunction when there is a threat of personal injury. Mr. Dunn recommended that another ten-day notice be delivered to Ms. Klobberdanz, notifying her that she is violating zoning laws by living on her property, either in her camper or her cabin, without proper sanitary conditions. This notice will then be filed in District Court, which can then file an injunction. The consensus of the Board was to start the process again, with another ten-day notice letter to Ms. Klobberdanz.

Mr. Dunn reported that he had made some amendments to the airport leases, which would be discussed at the work session following the regular Board meeting.

Ms. Vanderpool reported that she has yet to follow through regarding the Manuel Medina blight issue.

At 11:10 a.m., Sangita Suthar, Mike Suthar, Kelloff’s Restaurant, and Cindy Hill, Clerk and Recorder were present to discuss the transfer of a liquor license from Monte Vista Hospitality to 2830 Monte Vista Inc. Mr. Suthar requested that the current liquor license be transferred to Sangita Suthar, as the sole owner of 2830 Monte Vista Inc. Ms. Hill reported that the application was in order and that there were no issues with it. Commissioner Bricker moved to approve the transfer of the liquor license from Monte Vista Hospitality to 2830 Monte Vista, Inc. Commissioner Shriver seconded the motion and the motion carried. Chairman Davie and Clerk and Recorder Hill signed the application. It was noted that an optional off-premise permit might be added to the license so that liquor could be served in the motel building or at events held outside the restaurant, such as the drag race scheduled for June of 2016.

At 11:25 a.m., Ms. Osborn reported that Rose Vanderpool, Land Use Supervisor, had tendered her resignation, effective December 18, 2015. Ms. Osborn requested approval to advertise for the position. It was agreed that advertising would start in mid-September and run for two weeks, with the goal of hiring a new employee by mid-October so that Ms. Vanderpool would have sufficient time to train the new person.

Ms. Osborn reported that Tom Acre, South Fork Town Clerk, asked if Rio Grande County could handle more land use/building issues for South Fork (e.g., blight issues). Ms. Osborn asked the Board to think about this.

Ms. Osborn reported on upcoming events:

- Southern District Meeting, Walsenburg, CO, September 3, 2015, 10:00 a.m.
- Upper Rio Grande Economic Development meeting, September 8, 2015, 7:00 p.m., Mountain View, Monte Vista
- Open House for RG and Associates, September 10, 2015, 655 Grande Avenue, Del Norte
- Lunch with Saguache County/Colorado Department of Public Health and Environment, September 11, 2015, Sunflower Bakery, Monte Vista
- Comprehensive Plan Public Meeting, September 14, 2015, 7:00 p.m., Rio Grande County Annex
- Local Marijuana Issues, September 22, 2015, 9:00 a.m. to 1:00 p.m., 8900 Independence Way, Alamosa
- Budget Hearings, September 21 to September 23
- Breakfast with the City of Monte Vista, September 29, 2015, 7:00 a.m.
- Colorado Department of Transportation Region 5-2015 County/Tribal Meeting, October 5, 2015, 2:00 p.m., Windsor Hotel, Del Norte
- Rio Grande Water Conservation District, October 20, 2015, 2:00 p.m.
- Rio Grande Economic Summit with Frank Gray, October 22 to October 23, 2015, 6:00 p.m., Windsor Hotel, Del Norte

Ms. Osborn requested approval to void a warrant to Strohmayer's Funeral Home in the amount of \$2,100.00. She also requested approval to void a warrant in the amount of \$52.00, to the Department of Revenue for the Road and Bridge Department. Commissioner Shriver moved to void these warrants. Commissioner Bricker seconded the motion and the motion carried.

Ms. Osborn asked the Board to renew the lease with The South Fork TV Association (Baxter Hill). Commissioner Shriver moved to renew the lease. Commissioner Bricker seconded the motion and the motion carried.

Ms. Osborn reported that she had given Mark Rudolph the Summitville kiosk map.

At 11:41 a.m., Ms. McGraw requested a signature on a contract in the amount of \$11,250.00, with Aardvark Plumbing and Heating to repair the sidewalk at the Annex. Ms. McGraw explained that the contract with Aardvark in the amount of \$11,750.00 for the work at the Department of Social Services building had been signed, but the work did not take place. Chairman Davie signed the contract for the Annex sidewalk repair.

At 11:45 a.m., Rose Vanderpool, Land Use Supervisor, was present to discuss plans for her successor. She suggested cross-training the new employee with the Building Department, but did not think combining the two departments was a good idea. She explained that the County is mandated to have a Land Use Department, but not necessarily a Building Department. Ms. Vanderpool also suggested hiring a Permit Technician.

Commissioner Shriver asked Ms. Vanderpool to review the Land Use Supervisor job description and Ms. Vanderpool agreed.

Ms. Vanderpool expressed concern about how the Carolyn Kloberdanz issue has been handled.

At 12:00 p.m., the meeting was adjourned until 1:30 p.m., when a work session was held.

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, September 9, 2015. Members present were Chairman Doug Davie, Commissioner Karla Shriver, Commissioner Pam Bricker, Financial Officer Lori McGraw, County Administrator Carol Osborn, and Clerk of the Board Mona Syring.

At 9:00 a.m., Chairman Davie called the meeting to order. Chairman Davie led the opening prayer. The Pledge of Allegiance was said. Commissioner Bricker moved to accept the agenda with the addition of an Executive Session requested by Chairman Davie and the deletion of a discussion of a blight issue. Commissioner Shriver seconded the motion and the motion carried. Commissioner Shriver moved to approve the minutes from the September 2, 2015, meeting with changes. Commissioner Bricker seconded the motion and the motion carried. Chairman Davie asked if there were any public comments and there were none.

At 9:12 a.m., Ms. Osborn requested that a warrant (#143276) be voided in the amount of \$224.00 to the Valley Courier. The bill for an ad was paid twice. Commissioner Shriver moved to void the warrant. Commissioner Bricker seconded the motion and the motion carried.

Ms. Osborn presented the August 2015 Veterans Affairs report. Commissioner Bricker moved to accept the report. Commissioner Shriver seconded the motion and the motion carried. Chairman Davie signed the report.

At 9:15 a.m., Patrick Sullivan, Road and Bridge Department, was present to update the Board. He presented two bills from Valero that had been incorrectly calculated. Mr. Sullivan is working with Valero to correct the errors.

Commissioner Shriver informed Mr. Sullivan about the concerns of Jack Martz and Larry Martz regarding extending the taxiway at Sundance Landing. She asked Mr. Sullivan what the cost might be to grade the road, if the road is actually a County road, and stressed that this would be a one-time commitment. After the road is bladed, it would be turned over to the Sundance Landing subdivision for maintenance. Chairman Davie asked Mr. Sullivan if he knew if the road was County property. Mr. Sullivan said that he would find the survey pins to confirm. Commissioner Shriver noted that the minutes from previous meetings indicate that the proposed taxiway is actually a road. Mr. Sullivan agreed, and said that the road was never accepted into the County system. Mr. Sullivan said that the State would probably not allow an extension to the runway. Ms. Osborn noted that if the road is bladed, it will have to be marked so that it will not be mistaken for a runway. Mr. Sullivan said that it would take approximately an hour to grade the road, noting that on the curve to the north, gravel would have to be added. He also noted that a road cannot cross a runway. Mr. Sullivan suggested that someone from the Colorado Department of Transportation/Aviation be consulted. It was noted that more conversation is needed in order to make a decision on this issue. Mr. Sullivan will review the plat of the Sundance Landing property. He suggested that a work session be held on the property.

Mr. Sullivan reported that asphalt chipping is being done on the second half of Swede Lane. Weeds have been mowed twice on County Road 27A. When the weed mowing is finished in this area, crews will move to South Fork.

Mr. Sullivan reported a concern from a property owner near Swede Lane. While the chipping project was proceeding, Road and Bridge crews parked equipment near a storage facility near Dos Rios restaurant. The property owner was concerned about his liability if something happened to the equipment or crews. The property owner requested a waiver of liability if this area was used for parking in the future. Mr. Sullivan noted that the Road and Bridge Department took care of the property while it was being used. Mr. Sullivan said he would call the property owner if it was necessary to use that property again. Commissioner Shriver suggested sending a letter to the property owner releasing him from liability (Rio Grande County would take responsibility) if the property was used in the future. Ms. Osborn will write the letter.

Chairman Davie informed Mr. Sullivan that the rent has been raised at the Soil Conservation building where the Weed District has its office. The rent was raised to \$1,000.00 per month. Chairman Davie asked if Mr. Sullivan knew of any other place the Weed District could rent, noting that a shop would be needed. After a few suggestions were made, which Chairman Davie will present to the Weed District, Mr. Sullivan noted that the best option would be to find a property with the needed infrastructure so that a new shop would not have to be built. He

suggested making an offer to purchase the space the Weed District currently rents or to make an offer on the Robert Todd property and rent out the storage facility there, to help recoup costs.

Mr. Sullivan reported that a 400-foot strip of asphalt on County Road 10 North has been damaged. The asphalt to repair the strip will be ordered and any extra will be used on Mesa Drive, north of Sherman Avenue.

Mr. Sullivan reported that skinning and patching work would begin September 10, 2015, on Pine and Spruce streets in Monte Vista. He will make contact with property owners on September 9, 2015. Crews will work to cause as little disruption as possible in the area.

Mr. Sullivan reported that he had received a quote on a 2016 Ford F250 four wheel drive pickup. He has until September 15, 2015 to place the order, and will travel to Denver to take delivery of the pickup. The cost of the pickup is \$35,600.00.

Mr. Sullivan reported that the booster for the Road and Bridge radio system no longer works. He noted that a 100-watt signal was needed. Mr. Sullivan suggested purchasing a dual repeater that could handle both digital and analog signals. He said the analog system works well right now, but that other agencies are moving to digital systems, which would require the Road and Bridge Department to switch to a digital system also. Mr. Sullivan presented three quotes/options:

- Amplifier \$2,031.00
- Used analog repeater: \$2,300.00 (no parts are available for this unit)
- Dual 100 watt repeater: \$3,100.00 (this quote came from Valley Communications and comes with a two-year warranty)

Mr. Sullivan reported that radios with dual capability (analog and digital) are available, but that it is too expensive to upgrade all the Department radios at this time. Chairman Davie suggested that the 911 Board might be able to help pay some of these costs. The consensus of the Board was to purchase the dual 100-watt repeater. Chairman Davie will speak to the 911 Board about reimbursing the Road and Bridge Department for the \$3,100.00 expense. The 911 Board meets the last Tuesday of the month.

Mr. Sullivan reported that used Jersey barriers are available from Jim Willschau, at a cost of \$6.00 per foot (\$60.00 per block). While these barriers cannot be used for federal jobs, they can be used to protect a bridge in the southern part of the County. They can also be used for emergency management. Mr. Sullivan said that 30 blocks are available at a cost of \$1,800.00. The consensus of the Board was to purchase the blocks.

Mr. Sullivan reported that there is a Highway Users Tax Fund meeting on September 29, 2015.

Mr. Sullivan reported that the restroom signs for the airport have not been delivered.

Ms. Osborn reported that she would be reading the electrical meters at the airport the afternoon of September 9, 2015.

At 10:10 a.m., Ms. Osborn reported on upcoming events:

- Open House for RG and Associates, September 10, 2015, 655 Grande Avenue, Del Norte
- Lunch with Saguache County/Colorado Department of Public Health and Environment, September 11, 2015, 12:00 p.m., Sunflour Bakery, Monte Vista
- Completion of Homelake Veterans Cemetery Expansion, September 11, 2015, 1:00 p.m.
- Meeting with Bernadette Martinez, Town of Del Norte, about Trinidad State Junior College, September 11, 2015, 1:30
- Rio Grande Headwaters Land Trust Hoedown, September 13, 2015, 1:00 to 5:00 p.m., Gilmore Ranch, Alamosa
- Comprehensive Plan Public Meeting, September 14, 2015, 7:00 p.m., Rio Grande County Annex
- 2016 Budget Hearings, September 21, 22, 23, 2015, County Commissioners Office (see below for details)
- Colorado Department of Transportation Region 5-2015 County/Tribal Meeting, October 5, 2015, 2:00 p.m., Windsor Hotel, Del Norte
- Rio Grande Water Conservation District, October 20, 2015, 10:00 a.m.
- Rio Grande Economic Summit with Frank Gray, October 22 to October 23, 2015, 6:00 p.m., Windsor Hotel, Del Norte (Ms. Osborn to attend)



Parvez Malick, Salida, Colorado; attorney Ron Howard, Parker, Colorado; Rita Parrotte, Denver, Colorado; Steve Massey, Denver, Colorado; Josh Hee, Mesa Valley Group, Denver, Colorado; John Bricker, Del Norte, Colorado; Rose Vanderpool, Rio Grande County Land Use Supervisor; and Bill Dunn, Rio Grande County Attorney.

Ms. Vanderpool reported that the issue of the hearing was a request to change the zoning of a parcel of land located in the E2NE4 Section 33-39-8, containing 117.73 acres (the current location of the former AE Staley Starch Plant) in Monte Vista, from agricultural to light industrial. The starch plant is vacant at this time. Ms. Vanderpool said the issue had been presented to the Rio Grande County Planning Commission on September 8, 2015, and the Commission recommended approving the zoning change.

Mike Wisdom, Development Resource Group, which owns the property, presented an article from a 1959 issue of the Monte Vista Journal to show how long the property has been used in an industrial capacity, rather than an agricultural capacity.

Chairman Davie asked that anyone who wanted to speak at the hearing stand and be sworn in.

Mr. Wisdom explained that the reason he was requesting this change of zoning was to make the property marketable and indicated that there were several potential buyers, one of which is a barley malting operation.

Steve Massey, River Valley Group, owns property east of the starch plant. He explained that three percent of Rio Grande County is river corridor. He stated that rezoning this property would be contrary to conservation efforts. He also stated his concern that a new industrial business might cause the area to smell. Mr. Massey stated that in 2009 through 2010, when MoreStarch ran the plant, the River Valley Group had been unable to sell nearby properties three times. Since that business closed, the properties have sold and another property is about to sell. He said the River Valley Group has invested \$20 million in the County, and all its properties, except for residential properties, have been conserved. He said there is no way to predict the environmental effects, changes in property values, and effects to wildlife habitat that would occur if this area is zoned as an industrial area.

Ron Howard, attorney for the River Valley Group, noted that the application for the zoning change submitted by the Development Resource Group seems to be incomplete, noting that proper documentation (proof of ownership and the plot plan) was not included. Ms. Vanderpool noted that the plot plan was included and that a scan of the plot plan is acceptable. Mr. Howard noted that there is a discrepancy regarding the acreage in question. The minutes of the September 8, 2015, Planning Commission meeting state that it is 117 acres and the application states that it is 65 acres. Ms. Vanderpool stated that the change in acreage was correct in the minutes. Mr. Howard said that the change was capricious and when the acreage was changed, a new application should have been submitted.

Mr. Wisdom said the change was approved at the Planning Commission meeting. Ms. Vanderpool noted that the proof of ownership was verified to be the Development Resource Group. Mr. Howard asked if this was in the public record. Ms. Vanderpool said that it was.

Mr. Howard pointed out that the site is surrounded by conserved areas, which protect waterfowl habitat. He said the Shriver/Wright Wildlife Area, located near the property, is critical habitat for the southwest willow flycatcher and the yellow-billed cuckoo. He said that according to the Master Plan, the river corridor cannot be part of an industrial area. He also pointed out that an industrial plant might inhibit a trails system in the area. Mr. Howard noted that there are already industrial areas in Monte Vista, which would be a better fit. Mr. Howard said he had spoken with Rick Basagoitia, Colorado Parks and Wildlife, who expressed concern about the effect of the plant on endangered species. Ms. Vanderpool noted that the plant is not in a Habitat Conservation Plan area, and that the yellow-billed cuckoo is the only species that is covered by the HCP.

Mr. Howard asked if there would be noxious odors coming from the plant. He asked how much more development would occur in this area if this zoning change is approved. He asked if there would be effluent discharge. He noted that there have been Clean Water Act violations in the past. He asked if there was any environmental cleanup needed at this time and if there would be any issues in the future. He asked what type of emissions, particulates, and exhaust would come from the plant and how these would affect the river and conserved lands. He said his research did not reveal any white papers to indicate there would be no adverse impact.

Referring to the Master Plan policy, Mr. Howard said the rezoning should be discouraged. He asked if this rezoning change is compatible with the Master Plan. He reiterated that there are

better places to locate this type of business without putting conserved areas at risk. He noted that industry is good as long as it does not have negative impacts on conserved and agricultural areas. He noted that the marketing of a property should not be a consideration in approving a change in zoning.

Rita Parrotte, River Valley Group, noted that information regarding a potential buyer was missing from the application and that when asked, Mr. Wisdom told her that the information was proprietary.

Parvez Malick stated his opposition to the change in zoning.

Janice Childress-Knutson noted that she and her sister own a ranch near the plant. She does not want something to ruin the views from the ranch, the property values, or the air quality. She said she has researched malting facilities (ex., Colorado Malting in Alamosa) and she would not object to this type of business. However, if another business takes over the plant in the future, she might have new concerns. She said she understood a new business in the future would have to go through this same process before getting started. While she is fairly at ease with this proposed plant, she does not want to see the area ruined in terms of wildlife.

Bill Dunn pointed out that this hearing was not a conditional use hearing, but a zoning hearing. Once a change in zoning has been approved, it is permanent. Ms. Vanderpool indicated that a change in use might have to come before the Board; it would depend on how the future business wanted to use the property.

Mr. Howard noted that different types of light industrial businesses could come in, in the future without having to come before the Planning and Zoning Commission. He noted that 117 acres is large enough to accommodate more than one business.

Mr. Massey noted that the Planning Commission indicated that the malting facility would not produce odors any worse than the odors from the starch plant. He asked if the owner would subdivide the property, noting that when this question was asked at the Planning Commission meeting, the information was not shared because of negotiations with potential buyers.

Mr. Wisdom noted that Phase 1 and Phase 2 soil testing has been completed on the property. Chemicals, asbestos, and lead have been cleaned up, and water wells have been tested. He said he has been in touch with SLV Go regarding the trails system.

Mr. Wisdom noted that there are eight potential purchasers for the property, but the only proprietary information concerns the actual purchaser. He noted that Colorado Department of Public Health and Environment standards must be met in terms of odors. He said he wants to be part of the trails system and perhaps some conservation, noting that he wants the highest and best use for the land. He noted that he is anxious to move forward so that jobs can be created.

Commissioner Shriver asked why the application says 65 acres when in fact the zoning change is being requested for 117 acres. Mr. Wisdom said that a mistake had been made. Two parcels were not included in the original application and should have been.

Commissioner Bricker noted that the application should be corrected to reflect the 117 acres. She asked if the property could be subdivided. Mr. Wisdom said that most of the property is in a flood plain.

Commissioner Shriver asked if Mr. Wisdom would consider reducing the number of acres to be rezoned and leaving the rest of the property zoned agricultural. Mr. Wisdom said waste water can be pumped directly to the city treatment plant. Reducing the acreage would affect easements.

Commissioner Bricker asked if there would be any new construction. Mr. Wisdom said that it would depend on the buyer. Some buyers say they might be able to use the facility as it is.

Chairman Davie noted that no decision would be made at the hearing. The Board has 30 days to make a decision, and conditions can be included in the decision. He said the Board will take the question of rezoning into consideration, and thanked everyone for attending the hearing.

Dale Bugajski, potential buyer of the property, said he wants to use the existing waste water treatment system. He noted that there are no environmental issues on the property and that he does not need 152 acres for his business. Part of his plan is to identify the footprint his business will require, then to use the rest of the property for conservation and to support agriculture. He

wants to immerse himself in the local culture and community. The site will be modern and he is making a significant investment.

Commissioner Bricker asked if there is a permit on the well. Mr. Wisdom responded that it is a 2,500 gallon-per-minute industrial well. Mr. Bugajski said water would be used to wash and germinate the barley, and that 90 percent of the water would be returned.

Mr. Howard noted that a flow meter had been put on the well in 2007, and that no pumping had occurred since. Historically, the water use has been curtailed. He asked what augmentation plan would be used to replace depletions. He noted that the new water rules will change how the well is used and asked if the area would become part of Sub-District No. 4. He asked if the new business would assist the County in the costs the County would incur from the new business. Chairman Davie said that this could be one of the conditions of the approval.

Mr. Wisdom responded that the well's flow meter had been upgraded and all water laws will be followed.

John Bricker, Del Norte, was sworn in. He noted that the existing Staley plant looks bad and said that he wished something else could take over that site. He suggested that an environmental group purchase the property and tear the structure down. He noted that barley malting smells like baking bread and that there is some chaff that comes out of the process. Mr. Bricker said in his opinion, this is a compatible place for this facility and he encouraged the Board to support the project.

At 3:05 p.m., the hearing was adjourned.

At 3:20 p.m., Chairman Davie called the meeting of the Board of County Commissioners to order. Members present were Chairman Doug Davie, Commissioner Karla Shriver, Commissioner Pam Bricker, Financial Officer Lori McGraw, County Administrator Carol Osborn, and Clerk of the Board Mona Syring.

Rose Vanderpool, Land Use Supervisor, was present to request that a moratorium be placed on land use applications until January 1, 2016. She explained that her work on the Master Plan and related meetings are taking too much of her time. Commissioner Shriver said she wanted to consider the request. Ms. Osborn stated that this moratorium would allow Ms. Vanderpool more time to train her successor. Commissioner Bricker moved to approve the moratorium on land use applications. Commissioner Shriver seconded the motion and the motion carried.

Ms. Vanderpool reported that one issue remains to be decided by the Planning Commission. The Planning Commission has reviewed the set-back requirements for confined feeding operations. The current 400-foot set back is too much and a change to 250 feet has been requested by the planning Commission. The Land Use Department has a pending application for a chicken feeding operation that will not be submitted until after January 1, 2016. Commissioner Shriver moved to approve changing the set-back to 250 feet for confined feeding operations. Commissioner Bricker seconded the motion and the motion carried. Chairman Davie asked if the set-back for cattle and hog operations could be more than 250 feet. Commissioner Bricker stated that this issue should be discussed.

At 3:25 p.m., Sheriff Brian Norton was present to update the Board. Marty Asplin and County Attorney Bill Dunn were also present. Sheriff Norton expressed concern about a marijuana grow operation between Monte Vista and Del Norte. He stated that a medical marijuana caregiver can grow as many as 75 to 100 plants per patient, but finding out how many patients a caregiver serves and who the patients are is information that is protected under HIPPA regulations. While Sheriff Norton suspects that this caregiver is also selling recreational marijuana illegally, his caregiver status prevents Sheriff Norton from taking any action at this time. Ms. Vanderpool noted that a caregiver does not have to show a valid license if he or she has an application filed with the State, so the issue falls within zoning regulations.

Mr. Asplin described a sting in Aurora, where a caregiver's plants were confiscated and subsequently died. The caregiver successfully sued the city for the loss of the plants.

Sheriff Norton explained that all he can do is photograph the operation and if possible, take the caregiver to court. He explained that there is one witness who is willing to go to court on the issue. Sheriff Norton also noted that San Luis Valley Rural Electric has concerns about the use of electricity on this property. Ms. Vanderpool said that she will give the address of property to the Division of Water Resources so that it can check into water usage on the property.

Attorney Bill Dunn reported that he has spoken to a representative from Viaero regarding the building of cell phone towers. Mr. Dunn will speak to him again after attending a webinar explaining current changes in Federal Communications Commission changes. Mr. Dunn said that Viaero wants to be a good neighbor in the community. Ms. Vanderpool said that the Viaero tower in South Fork has already been built. Mr. Dunn explained that there is an exemption for towers used for railroad purposes, but that even if Viaero allows a railroad antenna to be installed on a tower, Viaero may still have to deal with zoning regulations.

Mr. Dunn reported that he spoke to Monte Mullins with regard to the Board of Equalization arbitration with Safeway Inc. Mr. Dunn said that the Commissioners can attend the arbitration. Mr. Dunn reported that Mr. Mullins was unsure of the number of people planning to attend the arbitration and asked if the Commissioners' room could be used. He also noted that a subpoena would have to be served to Michael Kruger from the State taxation office in order for him to attend. Ms. Osborn asked if the County would have to pay Mr. Mullins's mileage to attend the meeting. Mr. Dunn said that Mr. Mullins was entitled to recover his costs. The arbitration is scheduled for October 6, 2015, at 10:30 a.m.

At 3:50 p.m., Ms. Osborn asked the Board to ratify the rescinding of the resignation of Louise Colville, Rio Grande Museum Director. Commissioner Shriver moved to ratify the rescinding of the resignation. Commissioner Bricker seconded the motion and the motion carried.

Ms. Osborn asked the Board to ratify the agreement with RG and Associates for professional services. Commissioner Bricker moved to ratify the agreement. Commissioner Shriver seconded the motion and the motion carried.

Ms. Osborn requested the Board to ratify the payment to the Colorado Department of Public Health and Environment HPV Project in the amount of \$7,000.00 for the statement of work. Commissioner Shriver moved to ratify the payment. Commissioner Bricker seconded the motion and the motion carried.

Ms. Osborn reminded the Board of upcoming events:

- Colorado Department of Transportation Region 5-2015 County/Tribal Meeting, October 5, 2015, 1:00 p.m., Windsor Hotel, Del Norte
- Breakfast with City of Monte Vista, October 6, 2015
- Health Insurance Benefit Fair, October 6, 2015
- Board of Equalization Arbitration with Safeway, Inc., October 6, 2015, 10:30 a.m., Commissioners' Room
- Rio Grande County Museum meeting, October 6, 2015
- Rio Grande Water Conservation District, October 20, 2015, 10:00 a.m.
- Rio Grande Economic Summit with Frank Gray, October 22 to October 23, 2015, 6:00 p.m., Windsor Hotel, Del Norte (Ms. Osborn to attend)

Ms. Osborn asked the Board, if, after attending a meeting earlier in the day on the Underfunded Courthouse Grant, it would consider applying for a grant to evaluate the needs of the Rio Grande County courthouse. Commissioner Bricker suggested that additional restrooms would be a good addition. Commissioner Shriver suggested that upgrading the building's elevator should be considered, along with heating the sidewalk to the building's entrance. The consensus of the Board was to apply for a grant.

Ms. Osborn requested a letter of support for the San Luis Valley Housing Coalition's down payment assistance program. Commissioner Bricker moved to write a letter of support. Commissioner Shriver seconded the motion and the motion carried. Chairman Davie signed the letter.

Ms. Osborn reported that the Rio Grande Soil Conservation District has raised the rent on the space leased to the Weed District.

Ms. Osborn requested signatures on the conditional use permit allowing the Monte Vista Co-op to retain a 70-foot cell phone tower. The permit was signed.

Chairman Davie expressed his thanks that Sheriff Norton attended the meeting to update the Board.

At 4:05 p.m., the meeting was adjourned.

Attest:

COUNTY COMMISSIONERS' PROCEEDINGS

State of Colorado                    )  
  ss  
County of Rio Grande                )

The Board of Rio Grande County Commissioners met in regular session on Wednesday, September 30, 2015. Members present were Chairman Doug Davie, Commissioner Karla Shriver, Commissioner Pam Bricker, Financial Officer Lori McGraw, County Administrator Carol Osborn, and Clerk of the Board Mona Syring.

Patrick Sullivan, Road and Bridge Department, met with the Board before the meeting was called to order to discuss issues with the Ciello (San Luis Valley Rural Electric internet provider) contractor. The contractor is disputing the required drilling depth for laying the internet cable. The requirements are that the cable must be 36 to 48 inches deep. A meeting was scheduled for Monday, October 5, 2015, 10:00 a.m., at Beaver Mountain Bridge with Mr. Sullivan, Monroe Johnson from Ciello, and the Board.

Chairman Davie asked Mr. Sullivan about the status of the Department's radios. Mr. Sullivan said that a used repeater has been ordered at a cost of \$2,300.00. Mr. Sullivan noted that this repeater can be upgraded, if needed, in the future. Chairman Davie said that the 911 Board will pay this expense.

At 9:00 a.m., Chairman Davie called the meeting to order. Commissioner Bricker led the opening prayer. The Pledge of Allegiance was said. Commissioner Bricker moved to accept the agenda with the addition of the approval of payroll. Commissioner Shriver seconded the motion and the motion carried. Commissioner Shriver moved to approve the minutes from the September 9, 2015, meeting with changes. Commissioner Bricker seconded the motion and the motion carried. Commissioner Bricker moved to approve the minutes from the September 23, 2015, meeting with changes. Commissioner Shriver seconded the motion and the motion carried.

At 9:05 a.m., Chairman Davie asked if there were any public comments. Mike Wisdom and Ronie Wisdom, Development Resource Group, were present. Mr. Wisdom thanked the Board for its help through the zoning-change process on the former AE Staley starch plant land. He noted that the original request to change the number of acres from 65 to 117 acres has been corrected on the application. He said that the change in zoning would create 26 jobs with a payroll of \$1.6 million. He noted that the population in the area has decreased five percent since 2000. He said that the request to change the zoning on this land was an easy process. Commissioner Bricker noted that the letter from Sam Baily of the Colorado Office of Economic Development and International Trade, Global Business Development Division, helped clarify the financial questions. Mr. Wisdom noted that there is currently a non-disclosure agreement with the potential buyer of the property.

At 9:10 a.m., Ms. Osborn requested a signature on the Lariat Loop lift station replacement project for the City of Monte Vista. Commissioner Shriver moved to approve the water quality improvement project. Commissioner Bricker seconded the motion and the motion carried. Chairman Davie signed the document.

Ms. Osborn presented the 2015 Rio Grande County Property Assessment Study. There were no findings.

Ms. Osborn reminded the Board about upcoming events:

- Rio Grande County Energy Performance and Contract Review, October 2, 2015, 8:00 to 10:30 a.m. There will be a tour of the buildings after the review.
- CDOT Region 5 2015 County/Tribal Meeting, October 5, 2015, 1:00 p.m.
- Breakfast with the City of Monte Vista, October 6, 2015, 7:30 a.m., Sunflour Bakery, Monte Vista
- Museum Board Meeting, October 6, 2015, 7:00 p.m., 580 Oak Street, Del Norte
- Rio Grande Water Conservation District, October 20, 2015, 10:00 a.m., Alamosa

Ms. Osborn noted that the County Health Pool meeting has been cancelled. She also noted that the Board of Equalization arbitration with Safeway Inc. is being rescheduled.

Ms. Osborn reported that the Underfunded Courthouse Grant needs to be completed between October 1 and October 30, 2015.

At 9:17 a.m., the meeting was adjourned to the Board of the Department of Social Services.

At 9:27 a.m., the meeting of the Board was reconvened and called to order.

Joe Schlabach, Monte Vista City Councilor, was present in support of the zoning change at the former AE Staley Starch Plant. It was noted that Mr. Schlabach is running for re-election.

County payroll was presented. Commissioner Shriver moved to approve the September 2015 payroll. Commissioner Bricker seconded the motion and the motion carried.

#### **SEPTEMBER 2015 PAYROLL**

County General:	\$172,581.28
Road and Bridge:	\$ 61,836.49
DSS:	\$ 96,990.91
Pest Control:	\$ 9,754.29
Public Health:	\$ 12,797.30
<b>TOTAL:</b>	<b>\$353,960.27</b>

Chairman Davie noted that a decision needed to be made regarding who is responsible for the runway at the Sundance Landing subdivision. After visiting the site, Chairman Davie was able to determine that the runway is on County property and said that the Board cannot approve the taxiway. Commissioner Shriver noted that the Board has told the owners of Sundance Landing that they will have to do the engineering. She suggested discussing this with County Attorney Bill Dunn, and asking him to write a letter to Jack Martz and Larry Martz with the decision.

Commissioner Shriver reported that the work on the Summitville kiosk is progressing.

At 9:45 a.m., Rose Vanderpool, Land Use Supervisor, was present. Mike Wisdom, Development Resource Group, reported that the potential buyer of the former AE Staley Starch Plant property was interested in conserving a portion of the 151 acres he is buying. He wants a total of 117 acres of this property zoned light industrial, but may conserve the rest. Ms. Vanderpool noted that a portion of this property has been used in an industrial capacity. Mr. Wisdom noted that this does not include waste treatment.

Chairman Davie asked if the property in question includes a parcel of land on the other side of the river. Ms. Vanderpool said that the 151-acre property being discussed needs to be surveyed.

Mr. Wisdom reiterated that the potential buyer of the property wants to use 117 acres for his business, but may conserve the rest of the acreage. Mr. Wisdom went on to describe where the third parcel of land is located. He said that hundreds of thousands of dollars are coming in from the State because of this new business, and thanked Ms. Vanderpool for her help in navigating the zoning-change process.

At 9:55 a.m., Emily Brown, Department of Public Health Director, was present to update the Board.

Ms. Brown reported that she is working with Rio Grande Hospital on a Community Health Assessment/Needs Assessment so that the hospital can maintain its tax-exempt status, a process that occurs every two years. The emphasis of the assessment is how to improve community health. She asked Mr. Wisdom for any reports he might have that would be helpful in conducting these assessments.

Flu clinics are scheduled:

- Tri County Senior Center, October 9, 2015, 9:00 a.m. to 12:00 p.m.
- Del Norte Annex, October 13, 2015, 3:00 to 6:00 p.m.
- Monte Vista Co-op, October 26, 4:00 to 7:00 p.m. (tentative)
- South Fork Health Fair, November 7 or November 14

Chairman Davie suggested an earlier time for the Monte Vista Co-op flu clinic. Other clinics to be scheduled include Sargent, Jack's Market, potato warehouses, the Legacy, and Del Norte. Vaccinations will be available at the Department of Public Health on a walk-in basis in mid-October. Ms. Brown reported that approximately two-thirds of the expected vaccines have been delivered.

Ms. Brown reported that the Department is applying to the Colorado Health Foundation for Coordinated Health and Management Program funding, for an amount up to \$200,000.00. These funds will be used for Monte Vista, Sargent, and Del Norte. Ms. Brown explained that experts from the State will evaluate children's health issues and help to make sure the children actually receive the care they need. Ms. Brown asked if these funds could be run through the County. The consensus of the Board was that they could. Commissioner Shriver clarified that these are State funds, and asked Ms. Brown to include audit funds in the grant. Ms. Brown agreed.

Ms. Brown reported that there will be a meeting on October 6, 2015, with Rio Grande Prevention Partners to discuss plans in light of the agency losing its funding. Ms. Brown wants to include drug concerns in this group's mission.

Ms. Brown reported that a Regional Functional Exercise has been planned for October 21, 2015. This exercise will mimic an actual emergency. Jerry Dennis, Emergency Manager will attend, along with Monte Vista emergency managers, Lisa Robards and Robert Vance.

Ms. Brown reported that the Environmental Health Department continues to work on the process for handling issues that arise.

Ms. Brown reported that the Department's nursing schedule is being reviewed in order to provide time for the nurses to do paperwork. Ms. Brown said that it is valuable to have them both in the office at the same time, but that interruptions are a problem. No action is being taken at this time.

Commissioner Bricker asked how sharing time with the Del Norte school nurse was progressing. Ms. Brown reported that the schedule is good. The nurse is working for the Department for two hours a day, Monday through Thursday. Ms. Brown said the Department is working on providing work space for the nurse.

Ms. Brown reported that Saguache County has hired Ginger Stringer to be its new Public Health Director. Ms. Stringer will finish her contract with the Moffat school district on October 16, then will be full time after the semester is over.

Ms. Brown reported that participating in Rural Philanthropy Days was a good experience, especially in terms of economic development. She noted that there was interest in starting a drug task force.

Upcoming meetings include:

- Rio Grande/Saguache County Community Drug Task Force, Wednesdays, 3:00 p.m.
- Rio Grande Prevention Partners, October 6, 2015
- Tobacco Annual Conference, October 7 and 8, 2015, Denver
- Del Norte Town Council, October 14, 2015
- Joint Interagency Oversight Group strategic planning day, October 14, 2015
- Regional Functional Exercise, October 21, 2015, in the afternoon
- Joint Interagency Oversight Group Symposium, November 6, 2015

At 10:22 a.m., Bonnie Asplin, Marty Asplin, and Suzanne Benton, Upper Rio Grande Economic Development Council, were present to update the Board.

Mr. Asplin reported that the URGED office was set up in February 2015 and that its website is up and running. The website features an MLS of commercial properties in Rio Grande County, and is the second in the State to incorporate such listings.

Mr. Asplin reported that training sessions are moving ahead, having attended several seminars and webinars on economic development.

URGED has met with all three County municipalities, and will host an economic summit with them October 22 and 23, 2015, at the Monte Vista City Hall. The summit will include break-out

groups and then a dinner with the town administrators. Jennifer Henninger, RG and Associates, will attend the summit, as well.

There are three serious business prospects on which URGED is working:

- Nursing home in Del Norte; 60 beds; 50 to 55 new jobs. URGED assisted in locating and securing land and helped get the land survey and sub-division process started.
- Starch plant in Center (Rio Grande County); 130 new jobs. The plant will export starch to China and is a \$22 million project.
- Barley malting business in Monte Vista; 27 new jobs. URGED has worked with the company to help refine its site selection.
- Cheese factory in Del Norte. A Swiss company intends to move to Del Norte and URGED has located two potential sites for the 10,000-square-foot facility. The company will use local, grass-fed, organically raised cows.

Mr. Asplin reported that URGED has set up a welding class at the incubator in Del Norte in conjunction with Trinidad State Junior College, which will be available to high school students from Del Norte and Center. Ten welders have been donated, and 18 months of classes have been planned. Mr. Asplin said that it might be possible to offer classes to adults, once the class has been set up.

Mr. Wisdom noted that URGED has been a good partner, particularly with the barley malting business, and has provided many options.

Ms. Benton asked to Board to contribute to URGED's 2016 budget, and noted that it also has an El Pomar grant.

At 10:50 a.m., County Attorney Bill Dunn was present to update the Board.

Mr. Dunn reported that he participated in a Federal Communications Commission webinar on the changes in regulations for cell tower zoning and placement. The time frame in which County or local authorities have to act on tower location and service expansion requests have changed. For new towers, the County must act within 150 days. For co-location applications, the County must act within 90 days. For service expansion requests, the County must act within 60 days. If the County fails to act, it will be considered in default. Commissioner Shriver suggested that the County zoning code book be updated. Mr. Dunn offered to meet with the new Land Use Supervisor to make sure the new regulations are understood.

Mr. Dunn reported that, during the webinar, he asked if a company wanting to build a cell tower on a railroad's right of way had to apply to the County for permission. He did not receive an answer. However, he did learn that if an application is denied by the County, the County has to give specific reasons for the denial within 30 days. These reasons have to be based on substantial evidence. Ms. Vanderpool noted that the zoning codes will be amended again, based on new guidelines. She said most applications are handled within 60 days. Mr. Dunn reported that the current easement between the railroad and Viaero does not promise Viaero anything, but verbal agreements indicate that the railroad has promised Viaero that it will be safe within the easement. Mr. Asplin noted that courts have said that cell towers on railroad property must be used solely for railroad business.

Ms. Vanderpool said that because of overwhelming needs for capacity, cell towers will be built at a height of 50 feet, but there will be many more of them. Mr. Dunn noted that this will make it difficult to deny applications for building new towers.

County Assessor J.J. Mondragon was present with Mr. Dunn to update the Board regarding Safeway Inc.'s appeal to the Board of Equalization. Mr. Dunn reported that Monte Mullins has been chosen as the arbitrator. The San Antonio company that is now representing Safeway did not receive the message about the scheduled arbitration and cannot be ready next week (originally scheduled for October 6, 2015). New dates are being arranged, and Mr. Dunn noted that the arbitration must take place within 60 days of the original request for arbitration.

Ms. Mondragon said that Safeway will claim that its equipment is obsolete, even though it might be functional. However, there are tests on the evidence of value; the Assessor is required to use State standards to value property. Because of this, she said Safeway should be dealing with the State, rather than local authorities. It was noted that part of the arbitration will be educating Mr. Mullins. Ms. Mondragon reported that some counties are asking companies to put up cash bonds to cover the costs of arbitration, and that the arbitrator can assess these costs. Mr. Dunn asked if the County should require a bond from Safeway. Commissioner Shriver responded that a consistent policy should be in place so that the process is fair. Ms. Mondragon said that other

counties are requiring bonds, so it must be an acceptable policy. Ms. Osborn noted that some counties are having difficulty finding arbitrators.

Mr. Dunn said that the Safeway arbitration can probably be scheduled on a Wednesday afternoon; he will find out on October 5, 2015. Ms. Osborn noted that if the arbitration is cancelled at the last minute, the County will be responsible for the related expenses, and recommended having something in place to cover the expenses. Mr. Dunn reiterated that only the arbitrator can assess expenses.

At 11:15 a.m., a discussion was held regarding the San Luis Valley Development Resource Group's request to amend the zoning at the former AE Staley starch plant from agricultural to light industrial.

Chairman Davie asked if the zoning on this property could be changed back to agricultural in the future. Mr. Dunn said this would require another zoning amendment. Mr. Dunn said that there is some evidence that this property had previously been zoned light industrial, and that he is looking for minutes of Planning Commission meetings from 1959. Mr. Dunn expressed that a finding could be made that the 65 acres in the original application had been zoned light industrial.

Mr. Wisdom explained that the 65 acres in the original application was a mistake, and the total acreage being discussed is 117 acres. Mr. Dunn said that if the needed light industrial zone was fewer acres than the total purchased acreage, it would be easier to rezone the smaller acreage now, and make other changes as needed in the future. He noted that if the zoning is changed to light industrial now, the County will lose control of any other businesses that might use the property in the future. He also noted that if the original application listed 65 acres rather than 117 acres and the application was not amended, it might be a problem. He recommended a metes and bounds survey of the area to show what the County might approve.

Mr. Wisdom explained that the discrepancy in acreage was a clerk's error on the original application. He said time was spent with the Planning Commission and staff to clarify the acreage and that Dan Russell has surveyed the property and proved the boundaries. Mr. Dunn noted that a future application cannot be denied. Commissioner Shriver clarified that the acreage to be purchased equals 151 acres (three parcels), and that two parcels (117 acres) are the ones where the zoning change is being requested. Commissioner Bricker confirmed that the Planning Commission understood these details. Mr. Dunn asked if the newspaper listed the acreage. Ms. Vanderpool said that it did not, but did include the legal description of the 151-acre property. Mr. Wisdom countered that the legal description only referred to the 117 acres. Ms. Vanderpool said that a survey was needed. Commissioner Shriver asked that a report be done. Mr. Wisdom said that a report would be done when the property was sold. Ms. Vanderpool said that the survey needed to be included with the application. Commissioner Bricker noted that the taxes assessed on the AE Staley starch plant were industrial taxes rather than agricultural taxes, and said that the buyer of the property was adding value to the land. Commissioner Shriver moved to approve the zoning change of 117 acres to light industrial contingent on a survey of the 117-acre plot, with the balance of the 151 acres remaining zoned as agricultural. Commissioner Bricker seconded the motion and the motion carried.

At 11:30 a.m., the meeting was adjourned.

Attest:

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Doug Davie, Chairman

Mona Syring, Clerk and Recorder