At 10:06 AM the Board moved in to the Board of Social Services.

**Actions as the Board of Social Services**

At 10:06 AM the Board considered approving new flooring for the Department of Social Services building. Jody Kern, Department of Social Services Director, stated that due to budget reasons the Board had budgeted to split the cost over two years. In 2021, the County replaced the downstairs flooring. Stan Montoya, Maintenance Department, got an estimate from Right Carpet and it is $11,983.41. Last year the cost was $7,162.17. The difference is the increased costs with labor and materials. Commissioner Noffsker moved to approve new flooring for the Department of Social Services building. Commissioner Deacon seconded the motion, and the motion carried.

At 10:08 AM the Board exited the Board of Social Services and reconvened as the Board of County Commissioners.

**Actions as the Board of Health**

At 10:08 AM the Board moved into the Board of Health.
At 10:09 AM the Board considered extending the San Luis Valley Health Care Coalition COVID-19-part two extended funds. Dr. Kolawole Bankole, Public Health Director, reported that a few recipients of the HCC mini-grants received funds through the COVID-19 Part two mini-grants and got discounted on some of their purchases, so they couldn’t fully spend the awarded amounts. This resulted in a leftover $4,167.85 that has now been extended by the Colorado Department of Public Health and Environment (CDPHE). This fund will help improve the regional healthcare system preparedness for COVID-19 response. This funding will go toward “Stop the Bleed” kits to be distributed to locations, including schools. Commissioner Noffsker moved to accept the SLV HCC COVID-19 part two extended funds for Rio Grande County. Commissioner Deacon seconded the motion, and the motion carried.

There was discussion on COVID-19 and guidance for the schools. Commissioner Noffsker voiced concerns on guidance and policies changing several times. Dr. Bankole and Ms. Lake stated that they would get together and make a statement that says it is up to the schools in regard to quarantine guidelines. Dr. Bankole talked about “test to stay” (TTS) and reported that this would be implemented on February 4, 2022 in other areas, and this is in response to avoid quarantining healthy kids. Dr. Bankole stated that no school in the Valley is on board with this. TTS guidelines state that once you have been exposed you can test to stay in school. There is an app for your phone and it is plugged into the CDPHE and CDC.

At 10:30 AM the Board of Health adjourned and reconvened as the Board of County Commissioners.

County Official and Department Head Reports

At 10:30 AM Patrick Sullivan, Road and Bridge Department, was present and read his report aloud to the Board. Mr. Sullivan stated that year-end inventory was completed and submitted to the auditors and finance department. The engineering work was completed on La Garita Road, and the HUTF report was completed and submitted. Base work was completed on County Road 4 East, and new decking was installed on the bridge on County Roads 10 North and 5 East. The Road and Bridge Department completed the annual MSHA training, and continued to plow snow during the last two snow storms. Proposed work for the coming month is to fix the crusher and complete crushing on County Road 4 East (waiting for parts to come in for the crusher). La Garita Road work will begin. The Road and Bridge Department worked with U.S. Fish and Wildlife and SLV REC for this project to install a fire well pipe at County Road 8 South and Highway 15 for a fire prevention community project. There is a section of road near Beaver Creek Reservoir that needs work, due to flooding in 2019. Mr. Sullivan reported that he met with Rob Vance, Director of City of Monte Vista Public Works. They would like a 25-mph sign for safety in front of the new Ski Hi Event Center.

At 10:43 AM Randy Kern, Building Department, was present to give his monthly report. Mr. Kern reported that there are 35 new home starts, commercial buildings being built in South Fork, a hospital clinic being built, and a water and sanitation district building that is complete. This year is fairly comparable to last year. Mr. Kern stated that due to the colder weather, inspections have eased up. He is receiving many calls from people living out of state that are interested in building here. Mr. Kern reported that on the last day of January he did a final walk through of the Ski Hi Events Center, and everything looked good. He also reported that next month he plans to be in Loveland with Education Institute for continuing education; Ken Van Iwaarden will be covering inspections for him.

At 10:49 AM Dixie Diltz, Land Use Department, handed the Board her monthly report and asked if they had any questions. Mr. Barraclough asked about the status of the “music fest” event. Ms. Diltz stated that the County have the music fest conditional approval. They need to talk to CDOT because of the location of where they are planning to hold the event. Ms. Diltz also stated that they will have to go through Cindy Hill, County Clerk, to apply for a liquor license for the event. Scott Stecken, is the contact person for music fest. Commissioner Noffsker asked Ms. Diltz if Land Use will have to be involved in water issues (“Renewable Water Resources” RWR) in Rio Grande County. Commissioner Noffsker stated that there needs to be significant discussions on this; Monte Vista only has enough water for another 2,000 people.

General Business

At 11:00 AM the Board considered a resolution proclaiming that Rio Grande County will not be redistricting, changing commissioner districts or precinct boundaries. Ms. Lake stated that a statutory review had been done. Commissioner Noffsker moved to approve a resolution proclaiming that Rio Grande County will not be redistricting. Commissioner Deacon seconded the motion, and the motion carried.
At 10:49 AM Art Wittner attended the meeting via Zoom (this was out of the order on the Agenda). Mr. Wittner did say that he has a cover letter from the January meeting that was cancelled.

At 10:51 AM Ms. Lake recommended that if Mr. Barraclough gets a request for an executive session, then she needs to know because she is the repository for this. Mr. Barraclough stated that the bottom line coming out of this meeting is that he needs to communicate more.

The Board took a short break from 10:54 AM to 11:00 AM.

At 11:00 AM the Board considered bids for the Jet A fuel installation at the Airport. There was discussion on the drawings for ladders or catwalks on the bids. There was also discussion on making sure there is “Y three phase four wire 277480 volt” on the bid they choose. Ms. Lake said she talked to the Department of Public Safety and they stated that a chain across the ladder with a sign that says “authorized personnel only” is recommended, and only people with personal insurance will be the ones authorized to use the ladder. The Board called the Mascott representative and Commissioner Deacon asked about the four wire “Y” 277480 configuration. The representative sent updated wire configuration papers, and Commissioner Deacon confirmed the “Y” 277480 three phase wiring for the Jet A fuel tank bid. Commissioner Noffsker moved to approve the Mascott Jet A fuel tank bid based on American Rescue Plan Act (ARPA) fund eligibility. Commissioner Deacon seconded the motion, and the motion carried. Commissioner Deacon moved to accept the SLV REC proposal hinging on if it qualifies for ARPA funds. Commissioner Noffsker seconded the motion, and the motion carried.

At 11:48 AM Commissioner Noffsker moved to recess and reconvene at 1 PM. Commissioner Deacon seconded the motion, and the Board recessed.

Public Hearing

At 1:43 PM the Board reconvened as the BOCC. The Board moved into the Board of Health and the Public Hearing was called to order.

At 1:45 PM the Board of Health considered a request for a variance to the Rio Grande County On-Site Wastewater Treatment System (OWTS) Regulations submitted by Stephen Earsom. Randy Kern, Building Department, stated that Mr. Earsom owns Lots 10-11-12, Block 17, Alpine Village #4. His desire is to build a three-bedroom dwelling with a well and septic system on the property. The area of the three combined lots totals .45 acre. However, Rio Grande County’s OWTS Regulations specifically prohibits construction of any septic system (OWTS) in subdivisions platted with lots smaller than ½ acre unless enough contiguous lots can be combined to create a minimum of a ½ acre parcel. Mr. Kern stated that Mr. Earsom has submitted a complete variance application along with documents to support his request and has paid the required variance fee. The Building Department heard from the Forest Service and Andrew Petersen, neighbor, and they did not have an issue with the variance. A property owner to the east, Tommy Getz, is in favor of the variance because they are in the same lot configuration. The neighbors to the west did not respond to Mr. Kern’s letter. Mr. Earsom, attending via Zoom, stated that the three reasons to approve the variance are: it will not create a ph problem (he has sought expert opinion from Richard Silkey, project engineer). He has owned the property for almost sixty years and plans to have the property in his family for many more years to come (he is not looking to turn around and sell property). If the Board approves this, he will get an inspection on the septic system every three years. Ms. Lake recommended that the County can approve variances on a case-by-case basis for new septic systems, rather than making an across-the-board change to acreage in the code book. Ms. Lake stated she did not have a problem with this variance request. Ms. Lake asked if a soil test has been done. Mr. Kern said that it had been done. Commissioner Glover stated that he does not see a problem with this variance request. Commissioner Deacon stated that the septic systems are so much better than systems put in 20-30 years ago. Commissioner Noffsker voiced concerns granting the variance. Mr. Kern reiterated that the application is complete and the criteria was met. Mr. Silkey reminded the Board that this system meets all setback requirements, because the land borders National Forest. He stated that these setback requirements are what can be enforced in the future. Mr. Silkey also said that he evaluated the property to the east also. Commissioner Noffsker stressed the challenges that Alpine Village subdivision has faced over the years. Mr. Silkey also said that he evaluated the property to the east also. Commissioner Noffsker moved to approve the variance request for Stephen Earsom, because there is enough undeveloped land around this property. Commissioner Noffsker seconded the motion, and the motion carried.
RESOLUTION NO 2022-14

A RESOLUTION OF THE BOARD OF HEALTH FOR THE COUNTY OF RIO GRANDE, STATE OF COLORADO APPROVING A VARIANCE APPLICATION FOR ON-SITE WASTEWATER TREATMENT SYSTEM (OWTS) REGULATIONS

WHEREAS, C.R.S. Title 25, Article 10, sets forth the regulations concerning individual Sewage Disposal Systems and the requirement of counties to adopt minimum standards and regulations controlling the location, construction, performance, installation, alteration, and use of individual sewage disposal systems; and

WHEREAS, Rio Grande County adopted regulations applying to Individual Sewage Disposal Systems (ISDS) on July 19, 2006, effective August 1, 2006, and adopted Regulation 43 concerning On-Site Wastewater Treatment System (OWTS) Regulations on March 8, 2018, effective April 23, 2018; and

WHEREAS, the Board of County Commissioners for Rio Grande County sitting as the Board of Health, has received and considered an Application for Variance to the On-Site Wastewater Treatment System Regulations at ALPINE VILLAGE #4, BLOCK 17, LOTS 10-11-12, County of Rio Grande, State of Colorado, which are currently owned by STEPHEN DEAN EARSOM; and

WHEREAS, the application is accompanied by a site-specific request identifying the specific criteria from which a variance is requested; technical justification by a professional engineer indicating the specific conditions which exist and verifying that the variance will create no greater risk to public health than that associated with compliance with the existing regulations; a discussion of alternatives in lieu of the requested variance; and a statement of hardship that creates necessity for the variance.

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

THAT, after review by the Rio Grande County Board of Health of the information presented, and per the request of the property owners, the Application for Variance to the On-Site Wastewater Treatment System Regulations at ALPINE VILLAGE #4, BLOCK 17, LOTS 10-11-12, County of Rio Grande, State of Colorado, which are currently owned by STEPHEN DEAN EARSOM is hereby APPROVED.

THE FOREGOING Resolution was offered by Commissioner , seconded by Commissioner , and passed by the following votes by the of the Board

of County Commissioners sitting as the Board of Health at a meeting of said Board on the 23rd day of February 2022.

VOTES:
Commissioner Deacon: Yes No
Commissioner Glover: Yes No
Commissioner Noftiker: Yes No

BOARD OF COUNTY COMMISSIONERS
Gene Glover, Chair

ATTEST:

Clerk of the Board

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Dr. Kolawole Bankole (attended via Zoom) stated that he received the application and it was complete. In the application they addressed Public Health and pollution; the application went beyond what was required.

At 2:50 PM the Public Hearing closed and the Board of Health moved back into the Board of County Commissioners.

**Administrative and Commissioners Updates**

Ms. Lake stated that “administration priorities” will be discussed this Friday.

Commissioner Noffsner reported that he is going to meet with the attorneys in regard to the Railroad on March 3. They are waiting to hear from Huerfano County to see if they are on board with Rio Grande County. Ms. Lake stated that they might be filing joint appearances if other counties are on board.

Mr. Barraclough stated that Monday at 11:30 AM there would be a joint meeting with the City of Monte Vista.

At 2:57 AM Commissioner Deacon moved to adjourn the meeting. Commissioner Noffsner seconded the motion, and the meeting was adjourned.

Attest:

Gene Glover
Chairman of the Board

Aubrey Pargin
Clerk of the Board