

**COMMISSIONER'S MEETING**

***Regular Meeting***

**March 28, 2023**

Chairman Galusha called the meeting to order followed by the Pledge of Allegiance.

Commissioners John Galusha, Arica Andreatta and Karl Sporleder were present.

**Commissioner Andreatta made a motion to approve the March 28, 2023 Agenda as presented.**

**Motion: Andreatta**

**Second: Sporleder**

**Discussion: None**

**Resolved: Motion passed by unanimous vote.**

**Andreatta: Yes**

**Sporleder: Yes**

**Chairman Galusha: Yes**

**Commissioner Sporleder made a motion to approve the March 28, 2023 Consent Agenda as presented.**

**Motion: Sporleder**

**Second: Andreatta**

**Discussion:**

- a. Meeting Minutes for March 14, 2023.
- b. Burnell Haywood Transfer.
- c. Lea Vigil Promotion.
- d. Derek Guess Resignation.
- e. Amber Blazer New Hire
- f. Jacob Botello New Hire.
- g. Dreama Ortivez Promotion
- h. Ashley Wilkins Promotion.
- i. Abatement #23-14 Blackbird Ranch LLC – 2022 - \$1,307.33 – 429278 - Approved

j. Abatement #23-15 Michael Daurio - 2022 - \$1,133.83 – 429282 - Approved.

**Resolved: Motion passed by unanimous vote.**

**Andreatta: Yes**

**Sporleder: Yes**

**Chairman Galusha: Yes**

**10:03 A.M. Public Comment: None**

**10:03 A.M. Appointments:**

- a. Honoring Elders and Youngers – Sandy Dolak headed this project pointing out that there are unsung heros, both “Elder” and “Younger” in Huerfano County. Over one hundred people have been nominated. Congratulation to this month’s nominees, *Kylee Faris* and *Lois Northrup*. They each get a Letter of Appreciation for the lasting effect they have had on the community and the lives they have touched.
  
- b. Destination Imagination - Mireya Delgado spoke on behalf of Peakview Destination Imagination Team. It is an Engineering and Scientific Program and they are asking for a donation of \$2,000.00 to help pay for food and lodging expenses to compete in Denver at the state level.

**Motion to approve donating \$2,000.00 to Peakview Destination Imagination Team to help pay for expenses to compete in Denver.**

**Motion: Sporleder**

**Second: Andreatta**

**Discussion: None**

**Resolved: Motion passed by unanimous vote.**

**Andreatta: Yes**

**Sporleder: Yes**

**Chairman Galusha: Yes**

**10:15 A.M. Land Use:**

- a. Conditional Use Permit (CUP) #23-06 Gravel Pit Siete. Sky Tallman, County Land Use Director presented the recommendation of the Planning Commission with the final conditions listed.

**Motion to approve CUP #23-06 Gravel Pit Siete with the conditions listed.**

**Motion: Andreatta**

**Second: Sporleder**

**Discussion: These are the updated approved conditions.**

**Planning Commission Recommendation**

At their meeting on 3/23, the Planning Commission recommended approval with the following conditions:

1. Traffic Control Plan – Road and Bridge Department to approve an Access Permit, signage plan, and lower truck speed limit, on Lascar between I-25 and the access/haul road.
2. Access from Lascar Rd onto Section to be as close as feasible to I-25.
3. Road Maintenance: Require paving of Lascar Rd. between the end of CDOT's pavement and the access onto the Section in compliance with County road design standards.
4. Letter from a legal water supplier demonstrating proof of available water.
5. Noxious weed plan approved by County Weed Control Officer with security bond in the amount of \$5000. Annual reviews to be conducted by Weed Control Officer.
6. Acreage/scope of operations is limited to the 30-acre scope of operations presented in the site plan as part of this application. Subsequent operations subject to BOCC approval of an amendment to this Conditional Use Permit.
7. One-year performance review and site visit from the Land Use Office. Additional reviews or site visits to be conducted on a complaint basis.
8. Hours of operation: Crushing/Mining hours of operation: 7:00AM to 5:00PM; Truck Traffic hours: 7:00AM to 6:00PM; Maintenance and labor: no restriction on hours.
9. The Tom Branch Apache Creek, an intermittent stream, runs through the section. If more than the thirty acres initially proposed is to be permitted for mining, a 200 ft. setback to be required between mining operations and intermittent streambeds.
10. No explosives to be used.

**Resolved: Motion passed by unanimous vote.**

**Andreatta: Yes**

**Sporleder: Yes**

**Chairman Galusha: Yes**

- b. Manzanares Subdivision Exemption Letter. The petition was made because there is a well on the property. The Division of Water Resources can grandfather the well in if it is on a parcel that was exempt from subdivision regulations. The Planning Commission feels the subdivision exemption applies to all three of the parcels. (#29410, #29445, #29817). Carl Young, Administrator requested that Sky Tallman put his response in letter format to Division of Water Resources, attach the deeds with their legal descriptions and the commissioners can sign.

**Motion to approve this petition to exempt three parcels (#29410, #29445, #29817) from subdivision regulations; to put in the form of a letter to the Division Water Resources making sure the legal descriptions are included not just the parcel numbers.**

**Motion: Andreatta**

**Second: Sporleder**

**Discussion: None**

**Resolved: Motion passed by unanimous vote.**

**Andreatta: Yes**

**Sporleder: Yes**

**Chairman Galusha: Yes**

- c. Conditional Use Permit (CUP) #15-010 Walsenburg Cannabis – Cheri Chamberlain, Building Inspector and Code Enforcement Officer gave a staff report. CUP #15-010 is in violation of several codes and the recommendation of the Planning Commission is to schedule a Public Hearing to consider or start the revocation process. David Lesser spoke as representative for the property owner PW CO CanRE Walsenburg LLC., and Walsenburg Cannabis.

**Motion to approve setting public hearing date of May 23, 2023 to consider revocation and to have the Building Inspector work with the business contact David Lesser in the meantime.**

**Motion: Sporleder      Second: Galusha**

**Discussion: Commissioner Andreatta abstained from voting**

**Resolved: Motion passed**

**Andreatta: Abstain**

**Sporleder: Yes**

**Chairman Galusha: Yes**

- d. Resolution #23-13 to Incorporate Roadway Design Guide into Land Use Code. This is a resolution adopting Huerfano County Roadway Design and Construction Standards into the Land Use Code as Section 19.00 and making certain amendments to Article 10. This Resolution #23-13 is postponed until it is in final copy and ready for recording.

**10:56 A.M. Action Items:**

County Administrator Carl Young and the Board reviewed Action items.

- a. Resolution #23-14 appointing Jacque Sikes to the Huerfano County Building Authority.

**Motion to approve Resolution #23-14 appointing Jacque Sikes to the Huerfano County Building Authority for a term expiring on December 31, 2026.**

**Motion: Andreatta**

**Second: Sporleder**

**Discussion: None**

**Resolved: Motion passed by unanimous vote.**

**Andreatta: Yes**

**Sporleder: Yes**

**Chairman Galusha: Yes**

b. Resolution #23-15 to adopt a policy for Colorado Open Records Act Compliance. No action taken. This will be brought back for adoption next week.

c. LaHCDHD Opioid Harm Reduction Proposal. Las Animas-Huerfano County District Health Department Huerfano County Opioid Settlement Project Narrative was created as our health department's plan to use the funds from the Opioid Settlement. There will be \$13,000 annually for 2 years with changing amounts after that up to 18 years.

**Motion to approve the Las Animas-Huerfano County District Health Department Huerfano County Opioid Settlement Project Narrative with staff direction to develop a Memorandum of Use.**

**Motion: Andreatta**

**Second: Sporleder**

**Discussion: None**

**Resolved: Motion passed by unanimous vote.**

**Andreatta: Yes**

**Sporleder: Yes**

**Chairman Galusha: Yes**

d. Walsenburg Law Enforcement Services. Board of County Commissioners recommends entering into a short-term agreement for Law Enforcement services between Huerfano County and the City of Walsenburg through the end of the year 2023. Board of County Commissioners would also like to enter into mediation with the City as soon as possible. Staff was directed to contact Department of Local Affairs to get the names of mediators and Carl Young, Administrator stated he would encourage the Walsenburg City Council to take the issue back to the voters.

**Motion to approve the amended letter to the City of Walsenburg asking them to enter into a short-term agreement with the county, for Law Enforcement services to last through the end of the year, and for the city to enter into mediation with the county as soon as possible.**

**Motion: Sporleder**

**Second: Andreatta**

**Discussion: None**

**Resolved: Motion passed by unanimous vote.**

**Sporleder: Yes**

**Andreatta: Yes**

**Chairman Galusha: Yes**

e. Employers Council Annual Renewal.

**Motion to approve the annual renewal invoice from Employers Council for consulting membership dues for April 1, 2023 through March 31, 2024 in the amount of \$7,100.00.**

**Motion: Sporleder**

**Second: Andreatta**

**Discussion: None**

**Resolved: Motion passed by unanimous vote.**

**Sporleder: Yes**

**Andreatta: Yes**

**Chairman Galusha: Yes**

f. CSU Extension 2023 Allocation. CSU Extension letter of commitment to fund the County portion of the CSU Extension Agent at \$15,000.

**Motion to approve the CSU Extension letter of commitment to fund the County portion of the CSU Extension Agent at \$15,000.**

**Motion: Sporleder**

**Second: Andreatta**

**Discussion: None**

**Resolved: Motion passed by unanimous vote.**

**Andreatta: Yes**

**Sporleder: Yes**

**Chairman Galusha: Yes**

g. Extrication Services & Insurance Invoice from Huerfano County Fire Protection District for Countywide extrication services, maintenance and full insurance coverage on 2014 Chevrolet rescue unit, VIN 1GB3KZE82EF151215 in portable

equipment for the period of April 1, 2023 through March 31, 2024 for amount of \$6,000.00.

**Motion to approve the invoice from Huerfano County Fire Protection District for extraction services, maintenance and full insurance coverage on 2014 rescue unit in the amount for \$6,000.00.**

**Motion: Andreatta**

**Second: Sporleder**

**Discussion: None**

**Resolved: Motion passed by unanimous vote.**

**Andreatta: Yes**

**Sporleder: Yes**

**Chairman Galusha: Yes**

h. Advertising Agency Agreement with AdPro 360.

**Motion to approve the Advertising Agency Agreement with AdPro for Tourism portion and County portion for annual total of \$59,280.00.**

**Motion: Andreatta**

**Second: Sporleder**

**Discussion: None**

**Resolved: Motion passed by unanimous vote.**

**Andreatta: Yes**

**Sporleder: Yes**

**Chairman Galusha: Yes**

**11:29 A.M. Recess Regular Meeting.**

Chairman Galusha called to recess meeting to go into Executive Session at 11:29 A.M.

**11:30 A.M. Executive Session**

Carl Young, Administrator called to go into Executive Session at 11:30 A.M.

**Motion: Andreatta**

**Second: Sporleder**

**Discussion:**

- a. For discussion of specialized details of security arrangements or investigations under C.R.S. § 24-6-402(4)(d). **11:30 AM - Huerfano County Judicial Center.**



b. No decisions will be made in Executive Session.

**Resolved: Motion passed by unanimous vote.**

**Sporleder: Yes**

**Andreatta: Yes**

**Chairman Galusha: Yes**

**11:56 A.M. Adjourned Executive Session:**

Chairman Galusha called to come out of Executive Session at 11:56 A.M.

**11:57 A.M. Re-convene Regular Meeting:**

Chairman Galusha called to re-convene to Regular Meeting at 11:57 A.M.

- i. Request for State Homeland Security Grant Spending. Memo from Brittney Ciarlo, Emergency Management which has an attached quote from All Traffic Solutions Inc. for total amount of \$10,153.00 as well as, a request to spend no more than \$20,200 on equipment for the Emergency Operation Center. Both are 100% grant funded.

**Motion to approve the memo from Emergency Management regarding All Traffic Solutions quote for signboard totaling \$10,153.00, as well as request to spend no more than \$20,200 on Emergency Operation Center equipment.**

**Motion: Andreatta**

**Second: Sporleder**

**Discussion: None**

**Resolved: Motion passed by unanimous vote.**

**Sporleder: Yes**

**Andreatta: Yes**

**Chairman Galusha: Yes**

j. Quote from Churchich Recreation for \$85,440.00 for Pavilion for Gardner Community Center Project. Paid for out of the CDOT Main Street Grant.

**Motion to approve the quote from Churchich Recreation for \$85,440.00 for Pavilion for Gardner Community Center.**

**Motion: Sporleder**

**Second: Andreatta**

**Discussion: None**

**Resolved: Motion passed by unanimous vote.**

**Andreatta: Yes**

**Sporleder: Yes**

**Chairman Galusha: Yes**

k. Quote from CXT Precast Concrete Products for \$69,938.00 for vault toilet for Gardner Community Center Project. Paid for out of the CDOT Main Street Grant.

**Motion to approve the installation of the vault toilet by CXT for \$69,938.00 for Gardner Community Center Project to be paid out with grant funding.**

**Motion: Andreatta**

**Second: Sporleder**

**Discussion: None**

**Resolved: Motion passed by unanimous vote.**

**Andreatta: Yes**

**Sporleder: Yes**

**Chairman Galusha: Yes**

l. Request to apply for San Isabel Electric Association (SIEA) Donation for Huerfano Youth Conservation Corps. Conor Orr, Parks & Recreation would like to put in a donation request from San Isabel Electric Association for an amount of \$10,000. The funds would be used for purchase of tools and a shipping container to be used for the safe storage of the tools.

**Motion to approve the request for donation from San Isabel Electric Association for an amount of \$10,000 for trail building tools and storage of those tools for the Huerfano Youth Conservation Corps.**

**Motion: Sporleder**

**Second: Andreatta**

**Discussion: None**

**Resolved: Motion passed by unanimous vote.**

**Sporleder: Yes**

**Andreatta: Yes**

**Chairman Galusha: Yes**

m. NEOGOV Applicant Tracking System will give Huerfano County the ability to post a job online and track the applications. Two-year cost including a 50% discount for the 1<sup>st</sup> year is \$12,499.00.

**Motion to approve the two-year option from NEOGOV for \$12,499.00 for NEOGOV Applicant Tracking System.**

**Motion: Sporleder**

**Second: Andreatta**

**Discussion: None**

**Resolved: Motion passed by unanimous vote.**

**Andreatta: Yes**

**Sporleder: Yes**

**Chairman Galusha: Yes**

n. Steven Richardson, Oxy USA is requesting a bulk water permit to haul water from Gardner. This is for human use not for operational use.

**Motion to approve the bulk water permit and agreement to haul water for Oxy USA.**

**Motion: Andreatta**

**Second: Sporleder**

**Discussion: None**

**Resolved: Motion passed by unanimous vote.**

**Andreatta: Yes**

**Sporleder: Yes**

**Chairman Galusha: Yes**

o. Liquor License Renewal Timbers Restaurant.

**Motion to approve the Liquor License Renewal for the Timbers Restaurant.**

**Motion: Andreatta**

**Second: Sporleder**

**Discussion: County Clerk's Office noted the restaurant is in good standing.**

**Resolved: Motion passed by unanimous vote.**

**Andreatta: Yes**

**Sporleder: Yes**

**Chairman Galusha: Yes**

**11:55 A.M. Staff Reports:**

a. County Administrator: - Carl Young wrote out his report. The highlights are

- Community Development Funding Requests
- Legislative Update
- Huerfano River Bridge Rehabilitation Project
- Spanish Peaks Airfield Electrical Lighting
- Proposition 123
- On-Call Engineering RFQ
- Broadband
- Bipartisan Infrastructure Law Navigator
- Best and Brightest Program
- Fleet Management
- Gardner Main Street Development
- Thorne Ranch
- Redistricting of the Commissioners Districts

b. County Attorney – Lisa Powell-DeJong has set up a Monday.com account to be used by county employees to send work requests to her. Thank you to Kevin Archuleta for his help in setting that up.

**12:17 P.M. Correspondence:**

County Administrator Carl Young and the Board reviewed Correspondence.

**12:25 P.M. Adjourned Regular Meeting:**

Chairman Galusha called to adjourn meeting.

Meeting adjourned at 12:25 P.M.

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Erica Vigil, County Clerk & Recorder  
Clerk to the Board of County Commissioners

**COMMISSIONERS:**

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**John Galusha, Chairman**

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**Arica Andreatta**

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**Karl Sporleder**