

**Commissioners' Meeting
January 8, 2019**

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

Commissioners Gerald Cisneros, Ray Garcia and Max Vezzani were present.

A motion was made by Commissioner Cisneros and seconded by Commissioner Vezzani to approve the minutes of December 18, 2018. Motion passed by unanimous vote.

10:01 A.M.-Public Comment

Nancy Coe representing Huerfano County Farm Bureau invited the Board to the opioid panel presentation and discussion that will be held this Saturday, January 12, 2019, from 1:00-4:30pm at Washington School.

A motion was made by Commissioner Vezzani and seconded by Commissioner Cisneros to allow Chairman Garcia to sign the Agreement for Operation of a State Approved Medical Marijuana Cultivation Operation with Monte Fiore, LLC. Motion passed by unanimous vote.

A motion was made by Commissioner Vezzani and seconded by Commissioner Cisneros to hire Maria R. Dominguez as a Deputy at the Sheriff's Office effective January 7, 2019, contingent upon required background check and employment drug test with a negative result. Starting salary is \$27,000.00. Motion passed by unanimous vote.

A motion was made by Commissioner Vezzani and seconded by Commissioner Cisneros to hire Jeff Schnedler as a Deputy at the Sheriff's Office at a salary of \$27,000.00 contingent upon required background check and employment drug test with a negative result. Starting salary is \$27,000.00. Motion passed by unanimous vote.

A motion was made by Commissioner Vezzani and seconded by Commissioner Cisneros to pay out 2018 vacation and personal day hours for Bill Brunelli due to an additional workload brought on by the Spring Fire. Motion passed by unanimous vote.

A motion was made by Commissioner Vezzani and seconded by Commissioner Cisneros to pay out vacation hours on behalf of Paul Branson retroactive to December 31, 2018 due to additional workload brought on by the Spring Fire. Motion passed by unanimous vote.

A motion was made by Commissioner Vezzani and seconded by Commissioner Cisneros to pay out vacation hours requested by Sheriff Newman retroactive to December 31, 2018 due to a staffing shortage in Detention. Motion passed by unanimous vote.

A motion was made by Commissioner Cisneros and seconded by Commissioner Vezzani to approve a letter to Director Mike Willis Colorado OEM-DHSEM in regard to early warning stream gages for possible flooding and identifying the appropriate locations where they are needed. Motion passed by unanimous vote.

County Administrator John Galusha and the Board reviewed action items.

A motion was made by Commissioner Vezzani and seconded by Commissioner Cisneros to approve the REDI (Rural Economic Development Initiative) project, REDI 18-142-Walsenburg Industrial Park. Motion passed by unanimous vote.

A motion was made by Commissioner Cisneros and seconded by Commissioner Vezzani to approve a fee waiver request on behalf of the City of Walsenburg for a road cut on County Road 346. Motion passed by unanimous vote.

A motion was made by Commissioner Vezzani and seconded by Commissioner Cisneros to approve the construction bid for the Huerfano County Judicial Center, Phase 1 on behalf of Nunn Construction. Motion passed by unanimous vote.

10:20 A.M. Donald Bickerstaff asked the Board for approval on application #18-034.

A motion was made by Commissioner Vezzani and seconded by Commissioner Cisneros to approve an alternative building permit as recommended by the Huerfano County Land Use office on behalf of Donald Bickerstaff providing that all conditions from County Health Department and County Building Codes are met. Motion passed by unanimous vote.

A motion was made by Commissioner Vezzani and seconded by Commissioner Cisneros moved to postpone Grant Award Letter with the NRCS EWP projects that was granted to the County in regard to the Spring Creek Fire pending further discussion with the State of Colorado. Motion passed by unanimous vote.

A motion was made by Commissioner Cisneros and seconded by Commissioner Vezzani to approve payment of 2019 Annual Dues to the Colorado Counties, Inc. in the amount of \$12,000.00. Motion passed by unanimous vote.

County Administrator John Galusha and the Board reviewed correspondence.

10:35 A.M. Stan Mann met with the Board in regard to Application #18-034 in regard to rezoning his property.

A motion was made by Commissioner Cisneros and seconded by Commissioner Vezzani to approve LU #18-034, Rezone/TDR a ten (10) acre parcel of a 200 acre parcel as recommended by the Huerfano County Planning Commission and Land Use Office. The Land Use office staff will develop and adopt Transfer of

Development Rights (TDR) with language that will then be retroactively applied to this parcel (see Exhibit A). Applicant shall agree to a deed restriction on the remaining 190 acres limiting development to 4 single-family development rights.

A motion was made by Commissioner Cisneros and seconded by Commissioner Vezzani to approve the Gray & Black Market Marijuana Enforcement Grant Program, Advance Payment Request in the amount of \$10,449.00. Motion passed by unanimous vote.

A motion was made by Commissioner Cisneros and seconded by Commissioner Vezzani to recess until 11:30 A.M. Motion passed by unanimous vote.

Chairman Garcia called meeting back into session. Commissioner Cisneros made a motion to go into Executive Session seconded by Commissioner Vezzani. Motion passed by unanimous vote.

A motion was made by Commissioner Vezzani and seconded by Commissioner Cisneros to come out of Executive meeting. Motion passed by unanimous vote.

A motion was made by Commissioner Cisneros and seconded by Commissioner Vezzani to adjourn the meeting. Motion passed by unanimous vote.


Meeting adjourned at 12:10 P.M.



Nancy C. Cruz, County Clerk & Recorder
Clerk to the Board of County Commissioners



Commissioners:



Edward R. Garcia, Chairman



Gerald A. Cisneros



Max Vezzani

Transfer of Development Rights (TDR)

- A. Purpose: To promote county-wide preservation of agriculture, rural open space and character, scenic vistas, natural features, and environmental resources for the benefit of the residents of Huerfano County. The preservation and maintenance of these resources will be ensured by encouraging county wide land use planning including the perpetuation of large areas of generally contiguous properties suitable for agricultural use through the transfer of development rights from said parcels to property meeting the criteria for development.
- B. Designation of Areas to be Preserved: The sending sites to be preserved and protected through the application of this article are those designated on the Huerfano County Land Use Map as those large contiguous parcels that are not part of a subdivision. They can either be described as an aliquot part or by a metes and bounds description. Parcels must be at least 80 acres in size.
- C. Areas to be Developed Utilizing Development Rights Transferred From a Sending Site: The areas which are suitable for development using the density transferred from the sending sites must meet the criteria and standards for approval defined in sections E and F below as applicable. These areas are referred to as sending and receiving sites.
- D. Zoning Requirements: The uses approved as part of a TDR shall be limited to the only single-family residential uses on parcels zoned as Agricultural.
- E. Development Criteria for Receiving Sites which Accept Transferred Development Rights
1. The newly created parcel must have direct access from a county maintained roadway.
 2. Newly created parcels must be clustered together with shared boundaries.
 3. Newly created parcels shall be no less than 10 acres and no more than 20 acres, and shall be rezoned accordingly prior to the transfer of development rights.
 4. A boundary line drawing shall be created and recorded for each transferred development right.
 5. The receiving parcel must be zoned Agricultural.
 6. The newly created parcel must be a buildable site with a water source and an approved septic system before a building permit can be issued.
- F. Development Criteria for Sending Sites from which Development Rights are Transferred
1. Parcels must be contiguous and at least 80 acres in size.
 2. Only Agriculturally zoned parcels are eligible to transfer development rights.
 3. Parcels will be allocated 1 development right for every 40 acres of land in contiguous ownership.
 4. Once a development right is transferred, a deed restriction will be placed on the sending site indicating the number of development rights remaining.
 5. Sending sites are not eligible for rezoning.
 6. Sending sites may be dedicated as common area for the use of all newly created parcels.