

COMMISSIONERS' MEETING
February 12, 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 Vezzani and seconded by Commissioner Cisneros to approve the February 5, 2019. Motion passed by unanimous vote.

10:00 A.M. Public Comment

Marcy Freeburg met with the Board asking the county to sign off on a piece of land located at the turn out on Lascar Road so that the United State Post Office can install lockable mail and package boxes.

A motion was made by Commissioner Vezzani and seconded by Commissioner Cisneros to approve signing off on small piece of land located on Lascar Road turn out and directed Road and Bridge to haul a couple of loads of gravel to that area. Motion passed by unanimous vote.

10:04 A.M. Brad Bean P.E. who offers Engineering & Software Services for the Natural Gas Industry met with the Board in regard to data needed from county GIS for a project he is working on.

10:06 A.M. Al Meismann spoke to the Board and submitted a letter in regard to the International Building Code.

A motion was made by Commissioner Vezzani and seconded by Commissioner Cisneros to approve increase in work hours from 20 hours to 28 hours per week on behalf of Deborah Bernal with the County Treasurer's office and remain as a part-time employee. Motion passed by unanimous vote.

A motion was made by Commissioner Vezzani and seconded by Commissioner Cisneros to hire Santino Medina on as a full time Road & Bridge Operator, effective February 16, 2019, with the conditions that he pass a background check, a drug screen with a negative result and to obtain a Class A CDL within 6 months of employment Motion passed by unanimous vote.

A motion was made by Commissioner Vezzani and seconded by Commissioner Cisneros to approve the following abatements:

- #19-07 on behalf of Roy A. Moran for the 2018 tax year in the amount of \$246.98.**
- #19-08 on behalf of Tor & Dawn Tschanz for the 2018 tax year in the amount of \$389.49.**

Motions passed by unanimous vote.

A motion was made by Commissioner Cisneros and seconded by Commissioner Vezzani to purchase road closure signs and reflective tape from Barricade & Signs, Inc in the amount of \$5,342.93. Motion passed by unanimous vote.

County Administrator John Galusha and the Board reviewed action items.

A motion was made by Commissioner Cisneros and seconded by Commissioner Vezzani to adopt Resolution #19-08, A RESOLUTION RE-APPOINTING LEWIS EDMUNDSON TO THE HUERFANO COUNTY BOARD OF ADJUSTMENT FOR A TERM EXPIRING ON DECEMBER 31, 2020. Motion passed by unanimous vote.

A motion was made by Commissioner Vezzani and seconded by Commissioner Cisneros to approve the quote from Sage Electric for upgrades at the Huerfano County Jail. Motion passed by unanimous vote.

A motion was made by Commissioner Cisneros and seconded by Commissioner Vezzani to approve the purchase of Credentialing Equipment and Supplies in the amount of \$16,923.00 that will be covered by the 2018 Homeland Security Grant for Emergency Management. Motion passed by unanimous vote.

A motion was made by Commissioner Cisneros and seconded by Commissioner Vezzani to approve Memorandum of Agreement between Huerfano County and Federal Emergency Management Agency Integrated Public Alert and Warning System (IPAWS) Program Management Office. Motion passed by unanimous vote.

10:20 A.M. La Veta Schools Superintendent Bree Lessar, School Board President John Albright and Gaye Davis Project Director for La Veta School District met with the Board to give an update on the new school building and asked for a Letter of Support from the Commissioner's for the new school project and that they salutatory need to provide a secondary emergency egress from the county for a county property for their grant application.

A motion was made by Commissioner Vezzani and seconded by Commissioner Cisneros directing County Administrator John Galusha to prepare a Letter of Support of the concept for the new school project and for emergency egress on a county property on behalf of La Veta School District.

A motion was made by Commissioner Vezzani and seconded by Commissioner Cisneros to approve the proposed Hospital Transformation Program Overview and to authorize Chairman Garcia to sign signature page. Motion passed by unanimous vote.

A motion was made by Commissioner Cisneros and seconded by Commissioner Vezzani to purchase metal from Midwest Fab and Steel LLC in the amount of \$2,136.54. Motion passed by unanimous vote.

A motion was made by Commissioner Cisneros and seconded by Commissioner Vezzani to install two ETS units at the airport in the amount of \$1,055.00 on behalf of Sage Electric. Motion passed by unanimous vote.

10:35 A.M. Jason Hartman Director Generation Project and Allison Haraminac with Pinyon Environmental Inc. met with the Board regarding LU18-013(A), LU18-013(B), (CUP and HB1041) for the Busch Wind Farm.

A motion was made by Commissioner Vezzani and seconded by Commissioner Cisneros to approve LU18-013(A), LU18-013(B) (CUP AND HB1041) with the following proposed Conditions:

- 1. The construction of the approved project shall start in 2019. The start of construction shall be defined as the substantial improvement of the project site, including but not limited to the placement of permanent structures on site, the pouring of permanent slab or footings, the installation of poles, the installation of underground cable, the construction of columns, or any other work deemed permanent and reasonable by the Huerfano County Building Official. Permanent construction does not include land preparation, such as excavation, clearing, grading, and filling; nor does it include the installation of gravel roads; nor does it include excavation for footings, piers, or foundations for the erection of temporary forms. If construction does not start in 2019, the permits shall expire. In the event a deadline is not met, the applicant may apply for an extension of these permits. The extension must be applied for within 30 days of the expiration of the permits.**
- 2. Reclamation and restoration of land disturbed during construction shall begin immediately after completion of each phase and continue until ground cover is established and has been approved by NRCS. Financial security of \$20,000.00 per turbine site is required with the County as the beneficiary.**
- 3. For the decommissioning bond, any reference to "Huerfano County" shall be changed to "Huerfano County and the Board of County Commissioners in their official capacity."**
- 4. The minimum setback of all turbines from adjacent property lines shall be two (2) times the total turbine height measured from the centerline of the turbine tower to the nearest property line. The minimum setback of all turbines from non-participating occupied residences shall be one half (1/2) mile measured from the centerline of the turbine tower to the nearest wall of the residence. For setbacks less than the minimum, there shall be a written agreement between the operator and the adjoining property owner submitted to the County.**
- 5. Global positioning coordinates of the final turbine locations shall be submitted prior to construction and the applicant may relocate a wind turbine generator up to 500 feet in any direction during construction while still adhering to the minimum setbacks, noise standards, and by approval of the County Building Official.**

6. The operator of the Busch Ranch Wind Facility shall appear before the Board of County Commissioners annually on the anniversary of the Board of County Commissioner's approval during construction to provide a project update and review compliance with the terms and conditions of the permit. After construction the applicant will submit an annual update report to the BOCC.
7. The approval of these HB 1041 and CUP permits applies only to Black Hills Energy. Any transfer of this approved permit to a different entity or person shall require approval of the Board of County Commissioners. Notification shall be given to the BOCC in not less than 60 days prior to the transaction. A fee will be required; the amount will be determined by the BOCC.
8. Prior to the use or crossing of any County Roads for construction related traffic, the applicant shall obtain a permit from the County Road and Bridge Department.
9. An agreement addressing road impacts, camping on site during construction, and a community development fund shall be in place prior to construction.
10. The applicant shall provide a copy of the Storm Water Management Plan to the County Road and Bridge Department and Building Department prior to construction.
11. If the applicant wishes to abandon or remove any wind turbine generators, the applicant shall inform the Board of County Commissioners of this intention in the same manner and on the same date as the applicant informs the Colorado Public Utilities Commission.
12. This HB 1041 and CUP permit shall include a Fire Protection and Prevention Plan approved by the Huerfano County Fire Protection District. The Weed Management and Re-vegetation Plan shall be implemented during the entire term of the permit and the applicant shall consult with and obtain approval from the local NRCS office regarding best practices.
13. If required by the FAA, the applicant shall install radar controlled lighting on both existing and new WTGs.
14. The applicant shall provide a financial security in a form and amount acceptable to and executed by the BOCC to insure the Decommissioning Plan.
15. Noise levels from the Busch Ranch Wind Energy Project shall comply with CRS 25-12-103 for residential zones.

16. Applicant shall prepare a hiring plan to be approved by the BOCC. The applicant and its general contractor shall host county-wide job fairs to be advertised in Walsenburg, La Veta and Gardner, to recruit workers and contractors from Huerfano County.
17. Adjustments to the conditions of approval can be addressed through a supplemental application. Requirements for the supplement will be determined by the Huerfano County Planner.
18. To conform to the requirements of Section 7.04.11(10) and (11) of the Land Use Code, dealing with undue financial burdens on the county and adverse affects on county services, the Applicant shall enter into a Community Development Agreement in the amount of \$225,000.00 with the Board of County Commissioners prior to the initiation of construction.
19. To conform to the requirements of Section 7.04.11(10) and (11) of the Land Use Code, dealing with undue financial burdens on the county and adverse affects on county services, the Applicant shall submit a Decommissioning Plan that includes the Bond Issues as discussed to the Board of County Commissioners prior to the initiation of construction.
20. No wind turbine blade or tower sections may be transported through the Town of Walsenburg.

Motion passed by unanimous vote.

A motion was made by Commissioner Cisneros and seconded by Commissioner Vezzani to approve AIA Document A105-2017 Agreement between Huerfano County and Mountain Masonry LLC to remove and replace stone on North and West of courthouse tower. Motion passed by unanimous vote.

A motion was made by Commissioner Cisneros and seconded by Commissioner Vezzani to approve the Intergovernmental Agreement for the Provision of Recovery Manager Assistance for Flood-Related Projects between Huerfano County and Town of La Veta. Motion passed by unanimous vote.

County Administrator John Galusha and the Board reviewed correspondence.

A motion was made by Commissioner Vezzani and seconded by Commissioner Cisneros to approve Grant Application for Public Works and Economic Adjustment Assistance Programs from the Economic Development Administration and U.S. Department of Commerce in the amount of \$425,000.00 and to designate County Administrator as the signatory on the grant as presented by Carl Young, Huerfano County Economic Development and Tourism Director. Motion passed by unanimous vote.

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

Meeting adjourned at 11:20 A.M.




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



Commissioners:



Edward R. Garcia, Chairman



Gerald A. Cisneros



Max Vezzani