



**BOARD OF COUNTY COMMISSIONERS**  
**REGULAR MEETING MINUTES**  
**September 12, 2023 at 10:00 AM**

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**10:00 AM - PUBLIC MEETING**

Chairman Galusha called the meeting to order followed by the Pledge of Allegiance.  
Chairman Galusha and Commissioners Andreatta and Sporleder were present.

**AGENDA APPROVAL**

**Motion to approve the September 12, 2023 Agenda as amended, which removes item 7a, under Action Items: Resolution 23-36 Amending the Land Use Code.**

Motion: Andreatta                      Second: Sporleder  
Discussion: None                      Resolved: Motion passed by unanimous vote.  
Sporleder: Yes                      Andreatta: Yes                      Chairman Galusha: Yes

**CONSENT AGENDA**

**Motion to approve the Consent Agenda as presented.**

Motion: Sporleder                      Second: Andreatta  
Discussion: None                      Resolved: Motion passed by unanimous vote.  
Sporleder: Yes                      Andreatta: Yes                      Chairman Galusha: Yes

**CONSENT AGENDA 09/12/2023**

- a. Meeting Minutes for July 25, 2023
- b. Meeting Minutes for August 1, 2023
- c. Meeting Minutes for August 4, 2023
- d. Kandy Wiseman New Hire
- e. Victoria Bustos Driskill New Hire
- f. Patricia Marshburn New Hire

- g. Conor Orr Parks & Rec Full Time to Part Time
- h. Jeffrey Schnedler Promotion
- i. Jessica Espinoza Rescind Resignation
- j. Youth Corps End of Season
- k. Kim Trujillo Phone Stipend
- l. David Tesitor Resignation - Planning Commission
- m. Abatement 23-19 SC Council of Governments – **APPROVED Parcel # 38540 2021 \$3,204.06; 2022 \$3,058.04**

**PUBLIC COMMENT - None**

**APPOINTMENTS**

- a. Honoring Veteran Harold Pfeifer – Proclamation #23-03.  
**Motion to approve Proclamation #23-03 Proclamation Recognizing Harold Pfeifer and Proclaiming September 17<sup>th</sup>, 2023 as “Harold Pfeifer Day” in Huerfano County, Colorado.**

Motion: Andreatta                      Second: Sporleder  
 Discussion: None                      Resolved: Motion passed by unanimous vote.  
 Sporleder: Yes                      Andreatta: Yes                      Chairman Galusha: Yes

- b. Josh Wehe, Jade Communication ROW Permit Fee Waiver Request  
**Motion to approve the Right of Way Excavation Permit to Jade Communications, for Spanish Peaks and Panadero Loop, and waiving the permit fee; and requesting bond of \$50,000 to Huerfano County until project is completed; and requesting Jade will speak with Jerry Sporcich R&B, to agree on road conditions, before any work is started.**

Motion: Andreatta                      Second: Sporleder  
 Discussion: None                      Resolved: Motion passed by unanimous vote.  
 Sporleder: Yes                      Andreatta: Yes                      Chairman Galusha: Yes

**LAND USE**

- a. Joint Public Hearing: 23-028 Vacate Mohr  
 Tabled due to lack of quorum of the Planning Commission.

**ACTION ITEMS**

- a. ~~Resolution 23-36 Amending the Land Use Code~~

b. Resolution 23-37 Adopting PII Policy

**Motion to approve Resolution # 23-37 Adopting a Policy for the Protection of Personally Identifiable Information.**

Motion: Sporleder                      Second: Andreatta  
Discussion: None                      Resolved: Motion passed by unanimous vote.  
Sporleder: Yes                      Andreatta: Yes                      Chairman Galusha: Yes

c. Resolution 23-38 Appointment Laura Hutchinson SPLD Board

**Motion to approve Resolution #23-38 Appointing Laura Hutchinson to the Spanish Peaks Library District Board of Trustees for a term expiring on September 1, 2028.**

Motion: Andreatta                      Second: Sporleder  
Discussion: None                      Resolved: Motion passed by unanimous vote.  
Sporleder: Yes                      Andreatta: Yes                      Chairman Galusha: Yes

d. Resolution 23-39 Appointment Raymond Hutchinson SPLD Board

**Motion to approve Resolution #23-39 Appointing Raymond Hutchinson to the Spanish Peaks Library District Board of Trustees, for a term expiring on September 1, 2028.**

Motion: Sporleder                      Second: Andreatta  
Discussion: None                      Resolved: Motion passed by unanimous vote.  
Sporleder: Yes                      Andreatta: Yes                      Chairman Galusha: Yes

e. Resolution 23-40 Appointment James Whitley SPLD Board

**Motion to approve Resolution #23-40 Appointing James Whitley to the Spanish Peaks Library District Board of Trustees for a term expiring on September 1, 2028.**

Motion: Andreatta                      Second: Sporleder  
Discussion: None                      Resolved: Motion passed by unanimous vote.  
Sporleder: Yes                      Andreatta: Yes                      Chairman Galusha: Yes

f. Ordinance 23-01 Marijuana Licensing

**Motion to adopt first reading of Ordinance #23-01 regarding Marijuana Licensing and publish in newspaper for a Public Hearing date of October 10<sup>th</sup>, 2023.**

Motion: Andreatta                      Second: Sporleder  
Discussion: None                      Resolved: Motion passed by unanimous vote.

Sporleder: Yes                      Andreatta: Yes                      Chairman Galusha: Yes

- g. Josh Wehe, Jade Communication ROW Permit  
Handled under Appointments, Item B.
  
- h. Letter Notice of Intent to Evaluate Potential Fire Suppression Ponds  
**Motion to approve the signing of the Notice of Intent to Evaluate Potential Fire Suppression Ponds letter and then submit letter to the Colorado State Engineer.**

Motion: Andreatta                      Second: Sporleder  
Discussion: None                      Resolved: Motion passed by unanimous vote.  
Sporleder: Yes                      Andreatta: Yes                      Chairman Galusha: Yes

- i. Gardner Wastewater Systems Improvement Project Engineering Agreement  
**Motion to approve the Engineering Agreement with GMS, Inc. with a total amount not to exceed \$345,400.00.**

Motion: Andreatta                      Second: Sporleder  
Discussion: None                      Resolved: Motion passed by unanimous vote.  
Sporleder: Yes                      Andreatta: Yes                      Chairman Galusha: Yes

- j. August 2023 Vendor Run  
**Motion to approve the August 2023 Vendor Run in the amount of \$562,969.51.**

Motion: Sporleder                      Second: Andreatta  
Discussion: None                      Resolved: Motion passed by unanimous vote.  
Sporleder: Yes                      Andreatta: Yes                      Chairman Galusha: Yes

- k. Spanish Peaks Air Field 2023 Lease Assignment - John Schaffer  
**Motion to approve the Lease Assignment, entered into on June 3, 2023, between Michael Cook and John Shaffer regarding Hangar 4, located at the Spanish Peaks Air Field.**

Motion: Andreatta                      Second: Sporleder  
Discussion: None                      Resolved: Motion passed by unanimous vote.  
Sporleder: Yes                      Andreatta: Yes                      Chairman Galusha: Yes

- l. Monday.com Annual Renewal Agreement  
**Motion to approve and sign Monday.com Annual Renewal Contract for 12 months effective October 13, 2023 through October 12, 2024, in the amount of \$13,200.00.**

Motion: Sporleder                      Second: Andreatta

Discussion: None                      Resolved: Motion passed by unanimous vote.  
Sporleder: Yes                      Andreatta: Yes                      Chairman Galusha: Yes

- m. Special Events Liquor Permit Cuchara Mountain Park  
**Motion to approve the Application for a Special Events Liquor Permit for Cuchara Mountain Park for event to be held on 10/14/2023 from 3:30pm to 9:00pm.**

Motion: Sporleder                      Second: Andreatta  
Discussion: None                      Resolved: Motion passed by unanimous vote.  
Sporleder: Yes                      Andreatta: Yes                      Chairman Galusha: Yes

- n. Emergency Management Mutual Aid Agreement  
**Motion to approve the South Region Emergency Management Mutual Aid Agreement between Custer, Fremont, Huerfano, Las Animas and Pueblo Counties which allows assistance with Emergency Operations personnel, resources, equipment and facilities, beginning with a three year term and with no cost associated with the first three operational periods, for equipment and personnel.**

Motion: Andreatta                      Second: Sporleder  
Discussion: None                      Resolved: Motion passed by unanimous vote.  
Sporleder: Yes                      Andreatta: Yes                      Chairman Galusha: Yes

- o. Deputy Coroner Services Agreement Contract - Colin Low  
**Motion to approve the Contract for Services Agreement, entered into September 1, 2023 between Huerfano County and Colin Low as Deputy Coroner Contractor, and continuing as needed.**

Motion: Sporleder                      Second: Andreatta  
Discussion: None                      Resolved: Motion passed by unanimous vote.  
Sporleder: Yes                      Andreatta: Yes                      Chairman Galusha: Yes

- p. CR 543 Bridge Waiver Valuations  
**Motion to accept the waiver valuations for Rowland and Bar H Ranch Right of Way Acquisitions, both with a total compensation estimate of \$500.00.**

Motion: Andreatta                      Second: Sporleder  
Discussion: None                      Resolved: Motion passed by unanimous vote.  
Sporleder: Yes                      Andreatta: Yes                      Chairman Galusha: Yes

- q. CCI Legislative Committee Commissioner Designation Form  
**Motion to appoint Commissioner Karl Sporleder as Commissioner Designee, for CCI's Legislative Committee, to vote on the 2024 Legislative Priorities and also appoint Commissioner John Galusha as the alternate.**

Motion: Andreatta                      Second: Sporleder  
Discussion: None                      Resolved: Motion passed by unanimous vote.  
Sporleder: Yes                      Andreatta: Yes                      Chairman Galusha: Yes

- r. CCI Request for Representation - MAT Expansion Program Advisory Board  
**Motion to appoint Commissioner John Galusha to the Medication Assisted Treatment (MAT) Expansion Advisory Board and appointing Commissioner Arica Andreatta to serve as the alternate.**

Motion: Galusha                      Second: Sporleder  
Discussion: None                      Resolved: Motion passed by unanimous vote.  
Sporleder: Yes                      Andreatta: Yes                      Chairman Galusha: Yes

- s. Emergency Services Request for Dispatch Overtime Payout  
**Motion to approve the payout of all worker overtime in Dispatch from (the dates to coincide with current pay periods) approximately September 10<sup>th</sup>, 2023 until December 15<sup>th</sup>, 2023 and not to exceed \$10,000.**

Motion: Andreatta                      Second: Sporleder  
Discussion: None                      Resolved: Motion passed by unanimous vote.  
Sporleder: Yes                      Andreatta: Yes                      Chairman Galusha: Yes

- t. Salamander Agreement with La Veta Fire Protection District  
**Motion to approve the signing of the agreement between La Veta Fire Protection District and Huerfano County for Salamander credentialing system usage, effective on September 1, 2023.**

Motion: Andreatta                      Second: Sporleder  
Discussion: None                      Resolved: Motion passed by unanimous vote.  
Sporleder: Yes                      Andreatta: Yes                      Chairman Galusha: Yes

- u. PO 146 - R&B Tires for Skid Steer  
**Motion to approve Purchase Order #146 to Southern Tire Mart for purchase of tires for Skid Steer in the amount of \$3,092.00**

Motion: Sporleder                      Second: Andreatta  
Discussion: None                      Resolved: Motion passed by unanimous vote.

Sporleder: Yes                      Andreatta: Yes                      Chairman Galusha: Yes

v. Door Opener Quotes for Gardner Community Center

**Motion to approve DH Pace quote for install of new auto door opener at the community center in Gardner, including warranty and install, for the amount of \$4,452.00.**

Motion: Andreatta                      Second: Sporleder  
Discussion: None                      Resolved: Motion passed by unanimous vote.  
Sporleder: Yes                      Andreatta: Yes                      Chairman Galusha: Yes

w. Door Opener & Ramp quote for HC Courthouse

**Motion to approve DH Pace quote for auto door opener in the basement of Huerfano County Courthouse, including warranty and install, in the amount of \$4,452.00; as well as, purchase of 8 foot ramp from Home Depot Pro for the amount of \$1,370.28.**

Motion: Andreatta                      Second: Sporleder  
Discussion: None                      Resolved: Motion passed by unanimous vote.  
Sporleder: Yes                      Andreatta: Yes                      Chairman Galusha: Yes

x. Secure Rural Schools (SRS) Title Allocation Election

**Motion to approve the allocation of 80% (\$98,160) to Title I, 5% (\$6,135) to Title II, 15% (\$18,405) to Title III, totaling 100% of \$122,700.**

Motion: Andreatta                      Second: Sporleder  
Discussion: None                      Resolved: Motion passed by unanimous vote.  
Sporleder: Yes                      Andreatta: Yes                      Chairman Galusha: Yes

y. Proposition 123 Letters to City and Town

**Motion to approve the letters for signature and disbursement, to both Town of La Veta and City of Walsenburg, regarding Proposition 123 to fund affordable housing programs.**

Motion: Andreatta                      Second: Sporleder  
Discussion: None                      Resolved: Motion passed by unanimous vote.  
Sporleder: Yes                      Andreatta: Yes                      Chairman Galusha: Yes

z. Letter to City, Town, and Parks and Rec District on Collaboration

**Motion to approve the letters for signature, to City of Walsenburg, Town of La Veta and Huerfano Parks and Recreation District, regarding the collaboration on Parks & Outdoor Recreation.**

Motion: Andreatta

Second: Sporleder

Discussion: None

Resolved: Motion passed by unanimous vote.

Sporleder: Yes

Andreatta: Yes

Chairman Galusha: Yes

aa. Letter to Panadero Ski Corp Lift 4 damage

Before taking any action on Panadero Ski Corp Lift 4 damage, discussion will be with the attorney in Executive Session. No action will be taken in Executive Session. Potentially action to be taken after.

bb. DHS Organizational Assessment

Before taking any action on the DHS Organizational Assessment, discussion will be with the attorney in Executive Session. No action will be taken in Executive Session. Potentially action to be taken after.

## **STAFF REPORTS**

a. County Administrator – Carl Young – Listed in a report the accomplishments, updates and upcoming activities. This list included:

- Badito Ranch on the River Community Meeting
- Fox Theater Phase 1 Rehabilitation Project
- Cuchara and Gardner Multi-Use Path Projects
- Gardner Plaza Project
- Spanish Peaks Airfield AWOS
- Housing Needs Assessment
- DOLA Energy Impact Grants
- Procurement Update

b. County Attorney – Lisa Powell-DeJong – Nothing to report here but there is an Executive Session.

## **CORRESPONDENCE**

- a. CTSI - Controlling-Claim-Costs - Why does it matter
- b. CTSI - Tenant-Users-Liability-Insurance-Policy
- c. Confidential GPID Bulk Water Report August 2023
- d. Confidential GPID GSWD Report August 2023
- e. Treasurer July 2023 Report
- f. Marta Moore (Valley Winds) Dry Creek Rd- CO RD 363

## **EXECUTIVE SESSION**



Commissioner Andreatta made motion to go into Executive Session at 11:40 AM for: a. For the purpose of receiving legal advice on specific legal questions under C.R.S. §24-6-402(4)(b). Regarding **Cuchara Mountain Park Lift 4 Liability**; and b. For a conference with the County Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. §24-6-402(4)(b). Regarding **County Road 346 Right of Way Encroachment**; as well as two items being added, c. For discussion of a personnel matter under C.R.S. §24-6-402(2)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees; and d. For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. §24-6-402(4)(e).

Motion: Andreatta                      Second: Sporleder

Discussion: No actions will be taken during Executive Session. Potentially action to be taken after Executive Session.

Resolved: Motion passed by unanimous vote.

Sporleder: Yes                      Andreatta: Yes                      Chairman Galusha: Yes

**11:42 AM Recess Regular BOCC Meeting**

Chairman Galusha called to recess Regular meeting.

**11:55 AM Executive Session**

Chairman Galusha called to go into Executive Session at 11:55 AM.

**12:42 PM Adjourn Executive Session**

Chairman Galusha called to come out of the Executive Session at 12:42 PM

**12:43 PM Reconvene Regular Meeting**

Chairman Galusha called to reconvene the Regular BOCC Meeting at 12:43 PM.

**ACTION ITEMS (continued from above)**

- aa. Letter to Panadero Ski Corp Lift 4 damage  
**Motion to discontinue all operations regarding Lift 4 until the County Administrator on behalf of the County Commission has accepted the credentials of a Certified Lift Technician, under the professional guidance of a Certified Engineer, in conjunction with the Colorado Tram Board.**

Motion: Andreatta                      Second: Sporleder

Discussion: None

Resolved: Motion passed by unanimous vote.

Sporleder: Yes

Andreatta: Yes

Chairman Galusha: Yes

bb. DHS Organizational Assessment

Two motions were made after the Executive Session.

**Motion to (1) continue Sheila Hudson-Macchietto's contract through the end of the current period, October 31, 2023 and not renew for another year; (2) place Sheila Hudson-Macchietto on paid administrative leave until the end of her contract; and (3) terminate Dawn Martinez as Director Designate noting that she did not meet the expectations of the Board during her probationary period.**

Motion: Andreatta

Second: Sporleder

Discussion: It has been overwhelmingly affirmed that Sheila Hudson-Macchietto has earned a great deal of respect from her staff during her employment with Huerfano County Department of Human Services and in turn has earned the respect and trust of the current Board of County Commissioners. We believe this is likely also true regarding her past employees and past BOCC boards she has worked with. We, however, as the board of county commissioners believe that we have made the wrong decision in appointing Sheila's successor. Because of the complex nature of this matter, we believe it is best to fulfill the remainder of Sheila's contract through November 1<sup>st</sup> 2023 without her physical presence at the Department of Human Services. And terminate the employment of Dawn Martinez effective immediately with DHS.

Resolved: Motion passed by unanimous vote.

Sporleder: Yes

Andreatta: Yes

Chairman Galusha: Yes

And the second motion:

**Motion to direct the County Administrator to ensure DHS remains functioning legally until an interim or permanent director is hired.**

Motion: Andreatta

Second: Sporleder

Discussion: None

Resolved: Motion passed by unanimous vote.

Sporleder: Yes

Andreatta: Yes

Chairman Galusha: Yes

**12:53 PM Adjourn Regular BOCC Meeting**

Chairman Galusha called to adjourn the Regular BOCC meeting at 12:53 PM.

**Meeting adjourned at 12:53 PM.**

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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**