Minutes of the Board of County Commissioners Meeting, held on February 24, 2016 at 8:30 a.m. in the Commissioners Chambers, Alamosa County Services Center, 8900 Independence Way, Alamosa, CO 81101.

Members Present: Darius Allen, Chair -Absent
Marianne Dunne, Vice-Chair
Mike Yohn, Commissioner
Gigi Dennis, County Administrator -Absent
Jason Kelly, County Attorney
Belina Ramirez, Deputy Clerk

Call the Meeting to Order

Commissioner Allen is absent representing the County at NACO.

Pledge of Allegiance

Additions/Deletions to the Agenda

Approval of the Agenda

m/s Yohn/Dunne motion to approve February 24, 2016 Agenda

Motion was approved with Allen being absent.

Approval of Minutes

February 10, 2016-Regular Meeting
Public Hearing –Minor Subdivision Jimmy Quirico

Commissioner Dunne requested a change under the Agreement with the City discussion that the City is shredding branches not tires.

m/s Yohn/Dunne motion to approve February 10, 2016 Minutes with amendment
Motion was approved with Allen being absent.

m/s Yohn/Dunne motion to approve Public Hearing Minutes
Motion was approved with Allen being absent.

Bills/Obligations

m/s Yohn/Dunne motion to approve Bill/Obligations
Motion was approved with Allen being absent.

Public Comment

No comments were made.
Consent Agenda

Agreement for Cooperation Wildfire Protection
Clerk’s and Recorder’s Report for January
Liquor License Renewal for Sally Corp DBA Great Sand Dunes Oasis

m/s Yohn/Dunne motion to approve Consent Agenda
Motion was approved with Allen being absent.

Department of Human Services

Catherine Salazar was present.

Statement of Revenues and Statement of Expenditures were presented. It showed total Revenues of $1,144,571 and Expenditures a total of $1,203,226.

Commissioner Dunne asked if there was any concern with adult protection.

Catherine Salazar stated with $140,452 allocation we seem to run high but the allocation is insufficient. We are getting off 75% what we need.

Commissioner Dunne asked where it is made up at.

Catherine Salazar stated it comes out of the administration line item that we also get an allocation for.

Ongoing Workload Summary for January was presented. It showed Adult Financial cases at 294, Colorado Works cases at 119, Food Stamps/Food Assistance cases at 2120, and Medical Assistance cases at 420%.

Monthly Food Assistance Issuance Report was presented. It showed issued $530,187 for the month of January.

Commissioner Dunne asked how come there are so many people at Food Bank every day.

Catherine Salazar stated there are various resources available to the constituents. The monthly Care-n-Share and the Food Bank in town are some that supplement food assistance. If you receive from one program it doesn’t leave you out from other areas.

Child Support Comparison report was provided. It showed $127,267 was collected for January.

Commissioner Yohn stated in 2014 we were down as well.

Catherine Salazar stated yes it is an ongoing challenge. It depends on the economy.

The Recovery Collection Comparison Report showed a collection of $3,004 for Food Stamps and $6,145 for Public Assistance for a total of $9,149.

Commissioner Dunne asked these are for people who received more money than was allowed and have to pay back.

Catherine Salazar stated yes.
Commissioner Dunne asked if they pay monthly payments.

Catherine Salazar stated yes. The average outstanding claim was $500-$1,000. Various things affect a claim such as not reporting income or not reporting all members in household.

Commissioner Dunne asked what the ones over $5,000 were for.

Catherine Salazar stated fraud claims most likely. She will double check with Jeff Bonadies.

**Alamosa County Attorney**

*Records Retention Policy*

This is so we can start to purge records. Our Human Resources leaving we tried to sort some things and we realized we should have a schedule approved before we purge the records. This was one of the goals we were looking at prior. He took the policy from Douglas County. There are a few references to other counties which has been brought up. This was intentional because it was referencing them. Because so many people recognized it we can delete it. He has a master copy and if the State comes back and asks where it came from he can refer to it. Conflicts may exist such as DHS has State mandates to retain longer than local requires. He can put something saying State mandates overrule local requirements. We did send this out to everyone. Land Use asked about the reference to Douglas County. The Clerk and Recorder had a question on Liquor License and Birth Records that they should be permanent. He will review and make changes.

Commissioner Yohn stated he did see Douglas County listed three times and this has been explained. He would like more time for all departments to review. They might be accustomed to something different.

Jason Kelly stated they need to set a deadline. They need to reply with questions or concerns to his office.

Jason Kelly stated the Public Trustee/Treasurer already signed up to approve the State archives so she will follow that manual and this will be referred to in the policy.

*m/s Yohn/Dunne motion to postpone Records Retention Policy until next meeting March 9th.*

Motion was approved with Allen being absent.

**Alamosa County Land Use Department**

Rachel Baird and Jinger Tilden were present.

Looks like we have met an impasse from the State. It is a misunderstanding on our part. They are not a real district which is unorthodox. When they established funding programs from USDA and Energy Mineral Impact Fund but they are ineligible because of Tabor issues we can’t use them together. The USDA funding would have to run as a County Enterprise so we would not be able to subsidize. As an Enterprise we can’t receive more than 10% of local funding which would be DOLA funding. Municipalities can be funded out Federal Mineral monies and they thought this was possible. Then they were told they don’t fund Counties just cities or towns.
Commissioner Yohn stated we knew this was the situation because it wasn’t set up properly in the beginning. Don’t be discouraged. If it was easy and simple it would already been done. He does see progress.

Rachel Baird stated the consensus at first last year was we couldn’t go to vote because the community wouldn’t want it. Now with the public relations they have had she thinks it could go for a vote now.

Jason Kelly stated not only the relations but how much we were spending decreased substantially. One option is to ask County Citizens for a vote or form a Special District. Establishing a Special District would be the best option. Ultimately that is what the County wants. The community has to agree and seek funding. The only problem is they don’t have collateral to go to the USDA. They have no backing like the County government has.

Commissioner Dunne asked if we would have to return the USDA funding.

Jason Kelly stated no funds were distributed. They were obligated but there were conditions that we couldn’t meet with DOLA. It is not financially feasible just with USDA. The rates would be $150 monthly which they couldn’t do.

Rachel Baird stated the County can’t because we get PILT monies. Cities don’t receive PILT so they are eligible.

Jason Kelly stated it is DOLA’s choice because PILT money goes to Road & Bridge. They don’t want to remove discretionary funds out of County coffers.

Jinger Tilden stated all customers are making payments. Two they are working with the banks on the legalities since are held by the bank. They received 7 service calls because of the colder weather caused problems. The issue on pump #3 is the control box is defaulting. They can either put in a new control box or continue to pump.

Commissioner Yohn stated the memo states an issue at the Pit Stop.

Jinger Tilden stated initially the plumbing was making noise so they called a plumber so they said they had to come from the line. She sent out Weaver’s and it was frozen so this was fixed.

Commissioner Dunne stated we have to get a new system in. Don’t get discouraged. Is there a deadline for USDA funds?

Rachel Baird stated no.

Jinger Tilden stated they put the easements on the map. They put who wanted taps and who didn’t. There are more taps that were not accounted for. Hopefully they will have more income coming in.

Rachel Baird stated they could go through CDPHE if they would form their own entity but they would not be funded through the USDA.

Jason Kelly stated when MGID was established a property assessment they became an independent district. He doesn’t know if CDPHE would look it that way because the County is still involved because if the members don’t want to be involved it falls back on the County. The community has to want to take it on and we can help them get there.
Rachel Baird stated Rakhra Mushroom Farm owners came in and hired a consultant because they want to double their size in a few years and they want to put their own utility scale solar farm. They were told if they are larger than 10 mgw they would have to do a 1041 permit. They explained to them about a power purchase agreement and competing with the other solar facilities for transmission capacity. She told them they should have a conversation with Xcel. It wouldn’t be cost effective for them.

Jinger Tilden stated as far as code enforcement they went out and it is going to be overwhelming. They are going to change their Code Enforcement Ordinance.

**Board/Staff Updates**

Jason Kelly stated regarding the Ron Barrier Pit they have some issues similar to La Plata County. It would be good if we combine resources for outside council to research these issues for us. They agreed they would pay 50% of attorney fees and Costilla County and Alamosa County could share the other 50%. His recommendation would be in cooperative agreement to retain outside council to research outside council. He does have some money in his budget for outside council.

Commissioner Yohn stated he doesn’t like the way it was presented because it puts Alamosa County as a participant and when it comes to the $40,000 he disagrees.

Jason Kelly stated they are not entertaining the consent order. This research is for the common issues they all share. If there are issues separate to La Plata County and they will be billed separately. Estimated total cost would be $10,000 so La Plata County would pay 50% so if Costilla County goes in it would be 16% for us. He is going to contact CTSI, he doesn’t think they can help because it is CDPHE coming down on us. Part of the research will be if they have the authority to charge us. It seems odd because the City or the ACEDC because it was their project. They would also research the statute limitations. CDPHE has known this for 15 years. There was discussion on getting some legislation involved.

Commissioner Dunne stated she is in favor of this.

Commissioner Yohn approved pursuing this as well. He doesn’t like that the County was listed. He would like him to limit the price as well.

Jason Kelly stated the terms will be we can get out at any time.

*Project Manager Judicial Center*

He did receive a call from DCS. They have a conflict for March 7th. They asked to interview on March 9th which is a Commissioners Meeting. We were hoping to make a decision on this day.

Commissioner Dunne asked if they could come in on the March 8th. If you could ask them if this is possible.

Commissioner Yohn stated we can accommodate them up to that date.

Jason Kelly stated Commissioner Yohn had mentioned that fees are one factor for RFP for Project Manager. If you want to change this we should do that in advance. It was explained that they would interview, select the individual, and then look at that individuals fees. If it doesn’t meet what is reasonable then you could negotiate. If it is not negotiable then you would go to the next person on
your list and look at their fees. It would be based on their qualifications. If you want to consider the fees in the criteria you can but he needs to let them know.

Commissioner Yohn stated you need to know what it costs. If it not the cost for the services we are getting you are saying we don’t have to accept it we can go to the next.

Jason Kelly stated yes.

Commissioner Yohn stated he would still like to consider all the fees for the services.

Commissioner Dunne stated she is afraid that would prejudice us against the qualifications if we do that. The way it is set up now we would be looking at the qualifications on how they met the RFP. We would be influenced by the more economical. This is what she is worried about. We can negotiate the fees.

Commissioner Yohn stated you will have two or more qualified with different fees. What is best deal is what we need to look at for the citizen’s tax money. I don’t pay anything without knowing what it costs.

Jason Kelly stated you can state the fees will be a factor in the selection but you will not look at fee proposals until all the presentations are done.

Commissioner Yohn stated it is not fair if you select the person then say we don’t like your price.

Commissioner Dunne stated she understands you want the best for the money and we are dealing with the citizen’s money but she doesn’t want the fees to be the number one priority. She would like it good quality and LEED certified. She would go with this but we need to check with Commissioner Allen.

Jason Kelly stated he just wants the presenters to know the process. He will notify them that you have changed the process. They will bring in sealed bids and they wouldn’t be looked at until all the presentations have been given.

m/s Yohn/Dunne motion that fees be one factor in the RPF for the Project Manager of the Courthouse Motion was approved with Allen being absent.

Adjourn

There being no further business, the Regular Meeting of the Board of Alamosa County Commissioners was adjourned.

ATTEST:

Belina Ramirez, Deputy Clerk

Absent
Darius Allen, Chairman

Marianne Dunne, Vice-Chair

Mike Yohn, County Commissioner