Minutes of the Board of County Commissioners Meeting, held on March 23, 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  
                                               Marianne Dunne, Vice-Chair  
                                               Mike Yohn, Commissioner  
                                               Gigi Dennis, County Administrator  
                                               Jason Kelly, County Attorney  
                                               Belina Ramirez, Deputy Clerk

Call the Meeting to Order

Pledge of Allegiance

Additions/Deletions to the Agenda

Approval of the Agenda

Addition of Contract Amendment for SLV Housing Coalition for their single-family owner rehabilitation program to be put under the Consent Agenda.

m/s Yohn/Dunne motion to approve March 23, 2016 Agenda with addition  
Motion was approved unanimously.

Approval of Minutes

m/s Dunne/Yohn motion to approve March 9, 2016 minutes  
Motion was approved unanimously.

Approval of Bills/Obligations

m/s Yohn/Dunne motion to approve Bills/Obligations  
Motion was approved unanimously.

Public Comment

No one made a comment.

Consent Agenda

Resolution 2016G3 Authorization of Passenger Facility Charge Increase to $4.50  
AIP Runway Taxiway Application  
MOU Rio Grande County Sheriff –Victims Advocate  
VOCA Grant Agreement-SLV Coordinated Response through Technology  
MOU Rocky Mountain Health Plans Foundation-Baby & Me Tobacco Free Program  
Occupational Therapist Agreement-Diane O’Neil
Home Care Allowance Program Contract Signature Information District
Contract Amendment for SLV Housing Coalition for their single-family owner rehabilitation program

m/s Yohn/Dunne motion to approve Consent Agenda
Motion was approved unanimously.

Alamosa County Land Use

Mosca Improvement District

Rachel Baird and Jinger Tilden were present.

As we reported last month, the Mosca Wastewater Infrastructure Improvement Project has experienced an obstacle but we are working with Administration Staff, the USDA, and DOLA to rectify the situation.

- In order to finance the $1.456 million project we were awarded a $634,500 DOLA grant, a $655,000 USDA Grant, and a $159,000 USDA loan.
- To take out the loan without going to a vote, we need to classify the Mosca System as an enterprise as defined by TABOR.
- An enterprise is “a government-owned business authorized to issue its own revenue bonds and receiving under 10 percent of annual revenue in grants from all Colorado State and Local governments combined.”
- After our funding was allocated last month, the County Attorney and Chief Financial Officer became concerned that the $634,500 from DOLA would threaten our enterprise status because it clearly exceeds the 10% contribution from the state government.
- After contacting Christy Culp, we were told the municipal projects like Del Norte’s avoid this TABOR issue by having their funding allocated out of federal mineral lease (FML) dollars.
- We requested that our DOLA funding come from FML dollars instead of state severance taxes, which would make the Mosca Project federally funded in its entirety and exempt from TABOR.
- Christy then discovered that DOLA does not fund county governments from FML dollars because it interferes with Payment in Lieu of Taxes (PILT).
- We have reached a point where we have been awarded all our funding but have discovered the two sources are incompatible. There is no way for us to take out a debt from the USDA without being an enterprise and there is no way to receive our full $634,500 from DOLA as an enterprise.
- We have reached out to numerous contacts and had a teleconference on Monday with the USDA, DOLA, County Administrator, and County Attorney to strategize on how to move forward.

Commissioner Dunne asked if they have updated to the community.

Rachel Baird stated they want to only report when they have something finalized.

Jinger Tilden gave report on Accounts Payable/Receivable. She stated they can send a letter to the residents with the next billing for an update on their progress.

Congressman Scott Tipton’s Representative
Brenda Felmlee stated she is locally working on the Veterans Memorial. Appropriations are going on now. Older Americans Act they are going to get some more money. Medicaid Issue with inmates she looked into and there is activity in the State to overturn the laws.

**Department of Human Services**

Laurie Rivera was present.

Ongoing Workload Summary Reports were provided. They showed Adult Financial had 291 cases, Colorado Works with 134 cases, Food Stamps/Food Assistance with 2107 cases, and Medical Assistance with 4218 cases.

Monthly Food Assistance Issuance Report was presented. It showed $537,352 was issued for February 2016 and year to date is $1,067,539 issued.

Recovery Collection Comparison and Child Support Comparison were provided.

**Purchase of Service Contract-Foster Care Recruitment-Mary Morin**

El Pomar gave funding for this. This person will recruit for Foster Care for all of the Valley.

If the grant money isn’t there anymore how do you continue asked Commissioner Yohn.

Laurie Rivera stated they talked to El Pomar and they are in the process of the discussion of how to continue the recruitment effort.

m/s Dunne/Yohn motion to approve Purchase of Service Contract-Foster Care Recruitment
Motion was approved unanimously.

**National Child Abuse Prevention Month**

m/s Dunne/Yohn motion to approve National Child Abuse Prevention Month with correction of year
Motion was approved unanimously.

**Worksession**

*County Treasurer’s Office -Discussion of County held liens.*

Back into regular meeting for more discussion.

Commissioner Allen recapped discussion that there are around $219,000 of unpaid taxes and if they were on tax roll it could generate $18,000 yearly on annual tax revenue.

Rachel Baird stated at 2014 rates it would $17000. If we would sell at assessed value we could get $219,000 and if we would sell at market value we could get $500,000.

Lois Widhalm stated the proceeds of any sale she would have to go back for mill levies for those years and reimburse those entities so it is a win-win for everyone.

Rachel Baird stated 167 that have County Leins 140 are worth more than owed.

Commissioner Yohn asked if we would write off those off if we sold.
Rachel Baird stated we wouldn’t sell.

Commissioner Yohn stated that deficits the purpose those are the ones we want to get rid of.

Lois Widhalm stated we would maintain those certificates and keep them as they are. Anyone can payout those taxes and redeem the certificate and then they can get a Treasurer’s deed. This will continue and not stop this. Only on the parcels the Board wants the process on.

Commissioner Yohn stated maybe they could combine the parcels because they maybe more valuable to sell them that way.

**Alamosa County Sheriff**

*Recognition of County Employee for 30 years to Alamosa County-Carol Orton*

Robert Jackson was present. Carol Orton has been with the County Sheriff’s Office for 30 years. She has been on patrol, worked detention, and she is now the Office Manager.

*Swarling in of Deputies*

He is Swearing in 10 Deputies.

**Executive Session**

For a conference with the County Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b)

*m/s Yohn/Dunne motion to go into Executive Session*

Motion was approved unanimously.

The time is now 2:29pm and we have concluded the executive session and are now back in our regular meeting.

The participants in the executive session were: Darius Allen, Marianne Dunne, Michael Yohn, Gigi Dennis, Jason T. Kelly, and Belina Ramirez.

For the record, if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into executive session occurred during the executive session or that any improper action occurred during the executive session in violation of the Open Meetings Law, I would ask that you state your concerns for the record.

None was heard.

*m/s Yohn/Dunne motion to not enter consent order with CDPHE and notify them before April 11, 2016*

Motion was approved unanimously.

**Adjourn**

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

Belina Ramirez, Deputy Clerk

Darius Allen, Chairman

Marianne Dunne, Vice-Chair

Mike Yohn, County Commissioner
Minutes of the Executive Session held on March 23, 2016 at 1:53 p.m. in the Commissioners Chambers, Alamosa County Services Center, 8900 Independence Way, Alamosa, CO 81101.

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

It is March 23, 2016 and the Time is 1:53 pm. For the record, I Darius Allen am the Chairman, as required by the Open Meetings Law, this executive Session is being electronically recorded.

Also present at this executive session are the following persons: Darius Allen, Chair; Marianne Dunne, Vice-Chair; Michael Yohn, Commissioner; Gigi Dennis, Administrator; Jason T. Kelly, County Attorney; and Belina Ramirez, Deputy Clerk

This is an executive session for the following purpose:

For a conference with the County Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402; I caution each participant to confine all discussion to the stated purpose of the executive session, and that no formal action may occur in the executive session. If at any point in the executive session any participant believes the discussion is going outside the proper scope of the executive session, please interrupt the discussion and make an objection.

Jason T. Kelly County Attorney stated as County Attorney it is my opinion that the discussion of the matter announced in the motion to go into executive session constitutes a privileged attorney-client communication. I am therefore recommending that no further record be kept of this executive session.

Commissioner Darius Allen stated the County Attorney has recommended that no further record be kept of this executive session. The time is now 1:54 pm and I am turning off the tape recorder at this time.

The time is 2:28pm and the attorney-client communication has been concluded. I hereby attest that this recording reflects the actual contents of the discussion at the executive session and has been made in lieu of any written minutes to satisfy the recording requirements of the Open Meetings Law. I will hand the recording to the County Attorney to retain for a 90-days.
The time is 2:29pm and we now will conclude the executive session and return to the open meeting.

ATTEST:

Belina Ramirez, Deputy Clerk

Darius Allen, Chair

Marianne Dunne, Vice-Chairman

Michael Yohn, Commissioner