Minutes of the Board of County Commissioners Meeting, held on June 15, 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 - Absent
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 DOLA Grant for 12th Judicial Center and deletion of Worksession with DHS.

m/s Yohn/Allen motion to approve June 15, 2016 Agenda as added and deleted
Motion was approved with Dunne being absent

Approval of Minutes

m/s Yohn/Allen motion to approve May 25, 2016 minutes
Motion was approved with Dunne being absent

Bills/Obligations

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

Commissioner Yohn commented on still not receiving invoices in a timely manner so we are being charged interest.

Public Comment

No comments were made.

Consent Agenda

Treasurer’s Fund Report
Department of Military & Veterans Affairs Grant
DOLA 12th Judicial Center Grant
m/s Yohn/Allen motion to approve without DOLA Grant for further discussion
Motion was approved with Dunne being absent

DOLA 12th Judicial Center Grant

Jason Kelly explained originally the grant included only the Justice Center so he went back and asked DOLA if they could include the renovations to the Detention Center. They were generous enough to modify to include those fees for the Detention Center. We didn’t include the Courthouse because we are not sure what we were going to do with the original concept of that.

m/s Yohn/Allen motion to approve DOLA Grant
Motion was approved with Dunne being absent

Rio Grande Water Conservation District

Cleave Simpson was present. We are moved in and are trying to settle in. They are still working on the landscaping. Their Architect passed away unexpectedly so he wasn’t able to see the completion of the project. The Rio Grande River is expected to run a 7 acre ft. We are seeing water probably where we haven’t seen before. The water in Costilla Ditch is really positive. Other than the mass of mosquitos it is causing they couldn’t be happier. San Luis Lake is receiving water and is increasing. The last he knew it was increasing 2/10th a day. The District continues to focus on the operation and creation of groundwater subdistricts. The State filed their rules and regulations. They had 30 filed opposition which they are looking to see if they could appease these opposition’s. If not they will schedule an 8 week trial starting January 2018. The State is meeting with those filers. The Producers are diligently still moving with subcontractors. They met with the County Assessor and Treasurer with Subdistrict 2 forming. Their board members are set up geographically so there is one from Alamosa County who is Gerald Ziegler. Our staff is focused in well owners in Conejos County to get their Subdistrict to move forward. They are going through a verifyng process of the petitions right now. Saguache County will be next and lastly would be the Alamosa/Lajara area. This will be a large area that would encompass close to 700 wells. They reduced total pumping by a third so they have seen a net recovery in their aquifer of 350,000 acre feet since 2013. They have had a better than average runoff this year. Subdistrict 1 works as a good template for the other subdistricts.

Commissioner Yohn stated he went by the San Luis Lakes. It does have inflow but the canal is still running do they ever reduce the flow to supplement the closed basin.

Cleave Simpson stated the production is determined by an operating committee. It is made up of a representative of the Bureau of Reclamation, Appointment by the Colorado Water Conservation Board, and an appointment by the Rio Grande Water Conservation District. They try to operate at its maximum to stay at its limitation imposed by the decree which is about ground water levels. They set at a rate of 10,000 acre of water to the Rio Grande. They have not met to change that production schedule.

Commissioner Yohn responded even if they all decreased.

Cleave Simpson stated not all have decreased. They operate within their decree. If it shows more groundwater next year they could recommend to change the production.

Gigi Dennis asked if we are replenishing the deep water aquifer.
Cleave Simpson stated a lot of the canals run which give a positive impact. The confined aquifer is improving. One or two that remained are non-improving. Most have seen a net increase. The timing when these impacts occur we can’t really answer. Geology is complicated here so it is hard to say.

**Alamosa County Public Health Department**

Della Cox-Vieira was present.

**Environmental Health & Sustainability Contract**

The only change in this contract is no funding is attached because it comes down through the Core Contract. They already signed the Core Contract for this year.

Commissioner Yohn asked why we are entering into this contract with no financial backing.

Della Cox-Vieira stated these funds remain the same but it is included in the Core Public Health Contract. It does include all the SLV Counties. The funds are still in place but came down under a different contract amendment. This contract is related to the statutory inspectional items we routinely included in the Core Contract. The State has chosen to separate the language to a different document.

Commissioner Yohn questioned the Fee Collection and Remittance of how it works.

Della Cox-Vieira stated the fee collection will increase this year 30%, 10% next year, and another 10% after that. We will see an increase for retail food. We will be able to collect increase fees and the amount we send to the State will remain the same so we will see a higher portion. This portion will increase up to 50% above what the current fee is.

Commissioner Allen stated with the two in this program is that working ok.

Della Cox-Vieira responded it is working well. The Environmental Health Specialist and Technician are working well together. The Food Safety classes are offered in English and Spanish. They are also working with CSU Extension. They are able to cover the territory well with the two of them.

Commissioner Yohn asked if the inspections for mobile kitchen are the same for brick and mortar or is it different.

Della Cox-Vieira stated the mobile units do have a requirement for warm water and hand washing but she doesn’t know specific details. She could have Lynnea answer this question.

Gigi Dennis suggested a presentation from Environmental Health at the next meeting.

Commissioner Allen asked if Carol Keith is housed in Rio Grande County.

Della Cox-Vieira stated yes. We did purchase two mobile hand sinks for temporary events so this is something we can offer to maintain appropriate hygiene.

**m/s Yohn/Allen motion to approve Environmental Health & Sustainability Contract**

*Motion approved with Dunne being absent*

Commissioner Yohn asked if she had any update on the Hanta virus.
Della Cox-Vieira stated Rio Grande sent out information in their community. Where it comes from, what it looks like, and how to prevent it. We haven't had any more cases this summer. Hospitals are being alert for signs and symptoms. We are doing our best to keep our eyes on the situation to reduce their exposures. We have gotten calls about the Zica virus from travelers.

Commissioner Yohn asked we had pretty bad winds here how do we send out these alerts.

Della Cox-Vieira stated typically she issues a press release or sometimes the State sends out a Regional wide notice which she would forward. If the visibility is poor we could issue a warning also. Typically it is sent out to local radio stations.

Commissioner Allen asked if they get calls concerning Marijuana grow operations and waste disposal.

Della Cox-Vieira stated we do get calls from other County citizens where they sell recreation marijuana and on neighbors growing. The State is working on creating appropriate safe guards for waste water, general plant waste, and inspections related to disposing the waste.

Commissioner Allen stated at the CCI Conference they handed out an addendum on how to handle waste.

**SLV Housing Coalition**

Dawn Melgares was present.

She is here today to talk about the Rehab grant. We discussed last year the County was wavering if the County would remain a sponsor. She has talked with Gigi and they think they are in a good spot right now. The Grant is due July 1st

Gigi Dennis stated she is impressed with the checks and balances that they have put in place. She talked with the State. Dawn is spending a lot of time with each application and working with the State to make sure applications are correct. They have improved the Board to include better financial assistance to help with grants. She has given her a lot of information to show they have made significant improvements. It places a lot on Britney because she is not a housing specialist. This is an issue she will be visiting with the Auditors this afternoon.

Commissioner Allen stated he was on the previous board. He thinks things are in place now and the board is comfortable with the state they are in. You inherited a mess and you demonstrated you can handle it.

Commissioner Yohn asked how we stand with the County with the pay back.

Dawn Melgares stated she has made monthly payments. She has found some money from a lost account that they had and the State has allowed her to use the funds to improve the program. She asked the State if she could pay back the County with those funds. They responded as long as their relationship is improved and will continue sponsoring them. The intent is to improve the relationship with the County. In August the money will paid back if the Board approves to continue sponsorship. Right now she has 4 applications for Rehab. This account is at $80,000 and she has been approved to never let this account go below $40,000 so if in the future something happens we will have money to fall back on.
Commissioner Yohn asked about the cost to the County because we have to have a single audit.

Gigi Dennis stated they are looking at paying an administrative fees. Dawn is going to check into this to lump it into this grant.

Commissioner Yohn stated with these considerations he would support.

Dawn Melgares stated if they have your support she can proceed with the Grant and come back at the next meeting for approval.

Gigi Dennis stated Commissioner Dunne did support this.

The Commissioners agreed to support them.

Alamosa County Land Use

Rachel Baird, Jinger Tilden, and Ken Vanlwarden were present.

DOLA Grant – Mosca Wastewater Infrastructure Improvement Project

Rachel Baird stated we are at a point where we are going to secure the financing and move forward to hire an Engineer to get the Infrastructure built. We are then going to move forward with the final steps of the USDA funding. Hopefully they can break ground by 2017.

Commissioner Allen asked for a recap for the new newspaper reporter.

Rachel Baird stated Mosca is a small town that was platted in a way that the lots are so small that is was really designed for central water and sewer. All the residences have their own private wells that have septic systems too close to the wells. The County intervened in the 1980’s and installed a cluster system. This system ties to several households. These systems started deteriorating relatively quickly. The County was maintained them and pumping the tanks because they were overfilling because the Leach fields stopped working. This was in tune of $50,000 a year the County was paying to maintain these systems. There is constant complaints of issues with the system. The first engineering report was done in 1997 and since then this was done three times. A year ago they aggressively starting pursuing grants with USDA Water & Waste Grant and DOLA Energy & Mineral Impact Grant for a total of $1.456 million. This comes to $634,500 from DOLA Grant and $801,000 from USDA which $159,000 is a loan. They are working with a 3rd party with USDA to help them establish new rates for the system. Now that the funding is in place so we can move forward with the most recent Engineering report. We will be installing a central sewer system that is a gravity fed system, it has a lift station on County owned property, and it goes to a sequencing batch reactor, goes to seepage channel to the northwest of town. Hopefully the system will be in affect by fall of 2017.

Commissioner Allen asked how much the total grant is for.

Rachel Baird stated $634,500 and USDA of $655,000 which is funding 90% of the project. Most of the Mosca citizens are on a fixed income.

Gigi Dennis suggested having a grant signing ceremony because this is so significant.

Rachel Baird stated they are planning a public meeting in August.
**m/s Yohn/Allen motion to approve DOLA Grant for Mosca Wastewater Infrastructure Improvement Project**

Motion was approved with Dunne being absent.

**SIPA Contract-Website**

Rachel Baird stated the County Administrator got on board with the Colorado Statewide Internet Portal Authority (SIPA). They had a teleconference with SIPA about building a new website. It is a 90 day design process. They do all the technical work. It is used by multiple government entities. It is a prefabricated design. It integrates with google apps that we already use. It integrates with our calendars. SIPA does all of this for free of charge. They will do all the programing and we build the content. We put a request out for photographs. It will be streamlined and easy to use. It does coincide with the Tax Lien sale but by the end of year we will be running with a new website.

Jason Kelly stated we need to return this by the 17th. The Contract is basic. We are responsible for the content. They don’t take responsibility for the content. It is not to be used for any sort of sensitive information only for dissemination of information.

Rachel Baird stated it will be easier to use and user friendly for the departments so they can make updates.

Gigi Dennis stated we also will be able to have fillable forms for example job applications. It will be much better to use and better for the public.

Commissioner Yohn thanked them for getting this done. User friendly makes it good. Most people go to the web first for whatever they need so this is good.

Gigi Dennis added you will be able to pull up through alamosacounty.org but it will reroute to .gov.

Rachel Baird stated we might have to migrate our emails to that as well.

**m/s Yohn/Allen motion to approve SIPA Contract**

Motion was approved with Dunne being absent.

Commissioner Allen asked if they are you getting calls regarding Marijuana.

Rachel Baird stated the calls she was referring to about the website could be avoided with these answers on our website. It affects everything in Land Use. Code enforcement is having a lot more issues causing a huge workload. The Building department has issues with people building structures. It has increased 300% for building greenhouses. It is incredibly time consuming. The calls question our laws, our regulations, or their rights. Everyone wants to have alternative structures. We have this such as straw bale homes, we have tire structures, passive solar homes, and rammed dirt homes. We don’t have the man power to handle all these issues.

Commissioner Allen stated he is getting calls. He doesn’t know where to forward them to go. Maybe we need a work session with Sheriff, Land Use, and Attorney so we are on the same page.

Jason Kelly stated people are entitled to grow. He understands the issues. To be a caregiver you don’t have to have a card and you don’t have to prove you are a caregiver. This is a problem. You have to
have a desire and the manpower to enforce. Law enforcement is uncomfortable with this. At his last Attorney Conference there is an instructor who can come down and give a training. It is problematic.

Rachel Baird stated they don’t go into people’s homes. The law is straightforward that the plants cannot be visible. Half the battle is knowing the laws. She doesn’t want to say there is a presumptive correlation between growing marijuana and squatters.

Jason Kelly stated the issues are tied together but if someone is squatting you have remedies for that.

Ken Vanlwarden stated one incident was they get a complaint about someone building a structure and a side note was “by the way they are growing marijuana plants on the side”. He goes out and there is structure being built and they had 25 visible plants. He knocked on door to question what they were doing. They stated they were building a fence and in his opinion he is building a structure. That person was just the carpenter so he was handed the phone and the owner stated he could do whatever he wanted. He called the Sheriff’s office and an officer was sent. He had to explain the rules to the officer. The Deputy instructed the owner to get the plants inside so they are not visible. Two days later he drives by and the plants are visible again. He called the Sheriff again. They were on escort for a funeral. They were warned again. He learned after this individual has threatened law enforcement before. He has decided his staff is not going to do any enforcing. The question is what are they supposed to do.

Commissioner Allen stated we don’t want to put anyone in a bad situation.

Gigi Dennis stated he started the conversation about the structure that was being built.

Ken Vanlwarden stated the owner has submitted a permit for a fence.

Jason Kelly stated you are not marijuana enforcement so if they see it just call law enforcement.

Rachel Baird stated law enforcement refers them to Land Use.

Gigi Dennis acknowledged that there has been large turnover in the Sheriff’s Office so the officers are new and maybe they don’t know the laws.

Commissioner Allen stated this is why we need to be on the same page. We need a worksession. There is an Auto Repair shop out East Alamosa that he got calls on. When we permitted this Auto Shop we set a maximum of cars allowed and they have about 60 cars there. If they could look into it.

**Alamosa County Administrator**

“Raise the Bar”

Gigi Dennis stated she was approached by the “Raise the Bar Protect the Constitution” Committee if the County Commissioners would endorse the initiative to make it harder to amend the State Constitution. The Colorado Constitution has over 150 amendments whereas the United States Constitution only has 27. Our Constitution is getting tied up with tax policy, marijuana policy, and many are revenue generating that have conflict for legislators to balance the State Budget every year. The Initiative is collecting signatures they are not on the ballot yet. They are asking that 2% of all the signatures have to come from the 35 State Senate Districts. They have raised the threshold if you are going to put something on the ballot that is a constitution amendment it has pass by 55% not by like it used to by majority. If this is something the County wants to endorse our name will be used in publications.
Commissioner Yohn appreciated this gives rural areas more say in what is proposed. The outside metro areas have seemed to control everything that has been amended in the Constitution.

m/s Yohn/Allen motion was approved support this Raise the Bar Protect the Constitution Initiative
Motion was approved with Dunne being absent

Board/Staff Updates

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

Absent

Marianne Dunne, Vice-Chair

Mike Yohn, County Commissioner